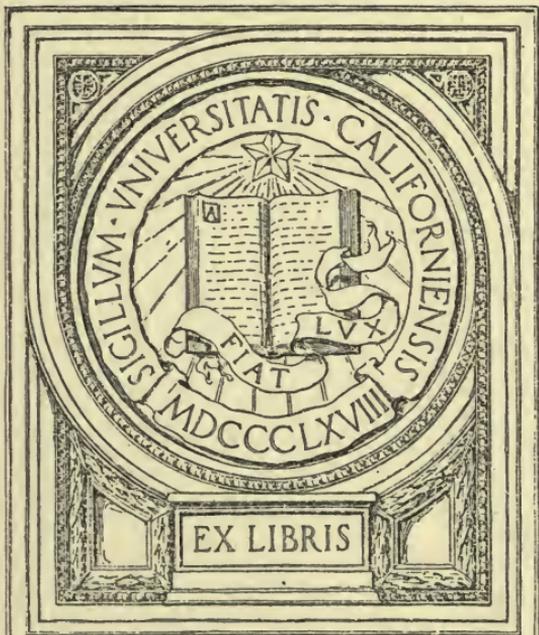
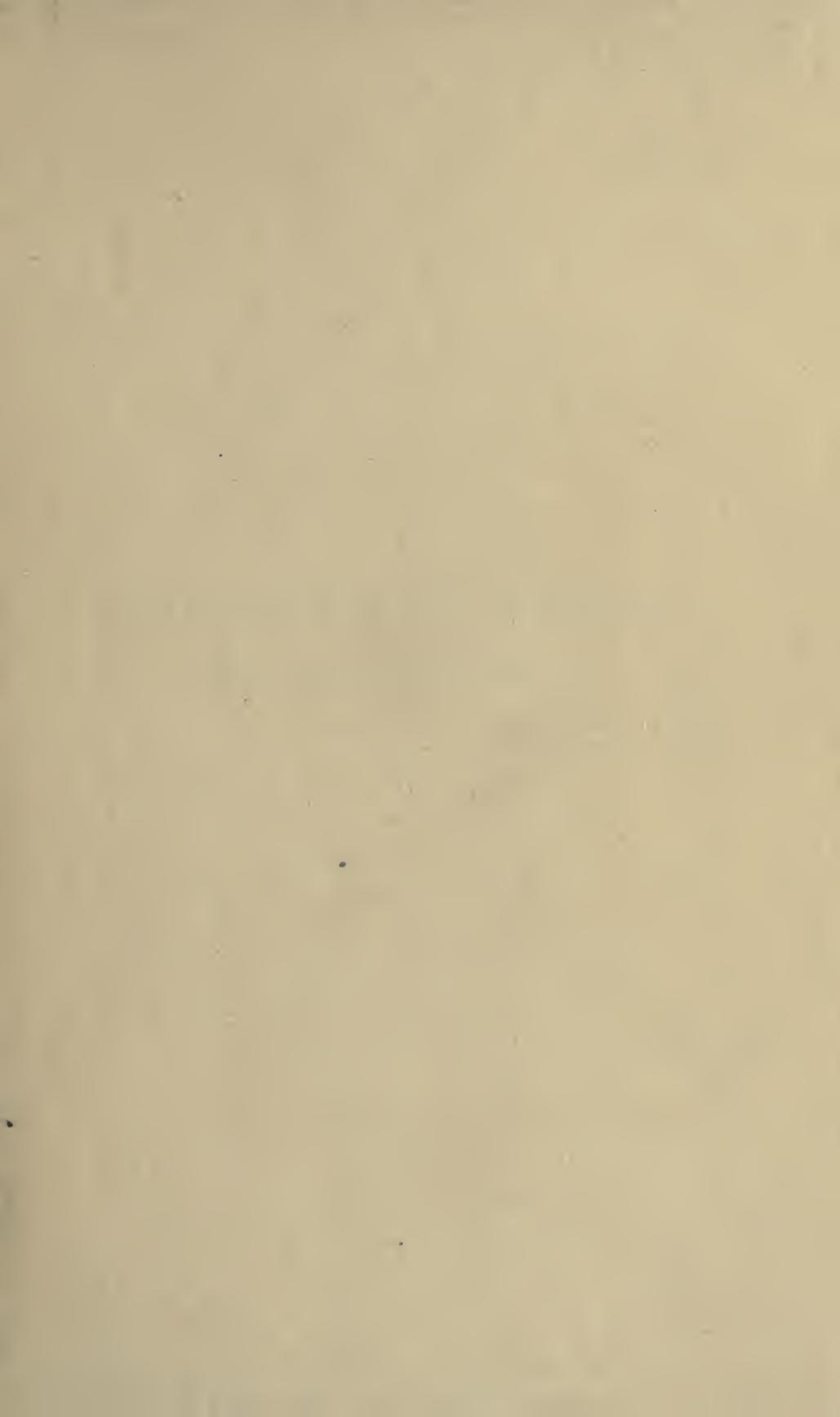


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IN BELGIUM

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E. N. BENNETT



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THE GERMAN ARMY IN BELGIUM

THE WHITE BOOK OF MAY 1915

UNIV. OF
CALIFORNIA

TRANSLATED BY

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WITH A

FOREWORD ON MILITARY REPRISALS
IN BELGIUM AND IRELAND

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THE GERMAN ARMY
IN BELGIUM

UNIVERSITY OF
CALIFORNIA

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FOREWORD

THE Allied case against Germany with respect to the conduct of the Kaiser's troops in Belgium rests mainly on four publications. (1) "The Report of the Belgian Commission of Inquiry." (2) The Belgian "*Rapports sur la Violation du Droit des Gens en Belgique.*" (3) The Belgian "Reply to the German White Book." (4) The "Bryce Report." It was the last of these which mainly influenced British and American opinion. This famous compilation owed much to the reputation of the eminent scholar who presided over the Enquiry, and to the names of Messrs. Fisher, Harold Cox and others who were [members of the Commission. Nevertheless, it must be admitted that our experience during the storm and stress of the war does not indicate that our literary and intellectual leaders have as a class shown either greater fidelity to principle or less susceptibility to the evil influences of war-fever, than the ordinary man in the street; and now that the more salient symptoms of this fever are abating and prejudice is slowly being replaced by reasoned judgment, the Bryce report can no longer retain unchallenged its claim to present a critical and convincing record of unquestioned facts. The numerous statements which it embodies were mainly derived from Belgian refugees who had reached our shores. Very many of these men and women were naturally in a state of nervous excitement and full of bitter indignation against the invaders of their soil. Such mental conditions are never conducive to the presentation of accurate and veridical evidence. Further it is obvious that some of these refugees were not eye-witnesses of the outrages they describe, for they had fled from their homes and merely record their own inferences as to events which had occurred during their absence. Another serious weakness in the Report arises from the fact that the various barristers and others who were sent round to interview these refugees were with very few exceptions quite unable to converse fluently in French and wholly ignorant of Flemish. Finally, none of the evidence was taken on oath. Here then we have an ill-digested mass of unsworn statements—some merely at second-hand—made by excited and angry Belgians, and transmitted by interpreters, themselves unsworn, which is

presented to the world as final and conclusive proof of Germany's guilt, while at the same time the publication in this country of a plain translation of Germany's official defence against these charges was forbidden by the Censor. The testimony of the Bryce Report served its purpose and aroused a volume of indignant and scandalised opinion which provided one of the sharpest weapons employed against our chief enemy; but it must be admitted that the methods by which it was compiled were so lax and uncritical that the results sink far below the level ordinarily demanded by the serious historian.

The definite and fundamental contention of both the Bryce and the Belgian Reports is that, with the possible exception of a very few and very doubtful cases, no civilian attacks were made on the German troops. This point is strongly and repeatedly emphasised.

"The German Government" says the Bryce Report, page 31, "have sought to justify their severities on the ground of military necessity and have excused them as retaliation for cases in which civilians fired on German troops. There may have been such cases in which such firing occurred, but no proof has ever been given, or to our knowledge attempted to be given of such cases, nor of the stories of shocking outrages perpetrated by Belgian men and women on German soldiers."

The Belgian Reply to the White Book (p. 7) is still more emphatic. "As a matter of fact the so-called Belgian *francs-tireurs* were non-existent . . . The theory of an armed resistance on the part of the Belgian civil population to the German troops is utterly opposed to the facts." The following statement of Monseigneur Haylen is quoted: "We declare in concert with the whole Belgian people that the story of Belgian *francs-tireurs* is a myth, an invention and a calumny. We do not hesitate most solemnly to defy the German Government to prove the existence of a single group of *francs-tireurs*. . . . We have no knowledge even of an isolated case of civilians having fired on the troops In no single case was the supposed culprit named."

Such is the position definitely taken up by the official Reports and adopted by an overwhelming majority of people in Great Britain and America, to go no further. Nevertheless I have always found it difficult to accord unquestioning acceptance to the popular belief. From an *a priori* point of view it is difficult to believe that German troops, probably the most sternly disciplined and best educated soldiers in the world, should have deliberately gone out of their way to shoot innocent civilians in Belgium and destroy their property for no apparent reason at all. To embroil themselves wilfully with the civilian inhabitants at a time when every minute was precious in their

scheme of a rapid advance against the Anglo-French forces was obviously the last thing the invaders would desire. The supposition that the Germans indulged in appalling and indiscriminate acts of terrorism against quite innocent people in order to secure the safety of their lines of communication is ridiculous on the face of it. In short, the current view of "Belgian atrocities," admirably as it served its purpose as valuable propaganda, contains within itself so many difficulties that no fair-minded historian of the future could accept it as it stands.

We have seen the evidence adduced to prove Germany's misdeeds in Belgium. Why have we been prevented from seeing Germany's defence against these charges? In any civilised society, even the vilest criminal is allowed to defend himself. What is the use of "defying Germany" to prove a single case of *franc-tireur* action and at the same time depriving the public of all access to the German White Book with its long list of specific outrages supported by sworn evidence?

Here then is presented for the first time in Great Britain Germany's official reply to the charges formulated against her troops during their passage through Belgium. The reader can judge of the evidence for himself. To refuse it a hearing on the *a priori* assumption that, as Mr. Bonar Law declared in the House of Commons, it was "full of lies," or that nothing that a German states could be true, is scarcely worthy of a sane and judicial mind. Nor do I hesitate to say in this respect that any Englishman who knew his Europe in pre-war days would have regarded the sworn testimony of a German as at least quite as trustworthy as the unsworn evidence of a Belgian.

But apart from the Bryce and Belgian Reports on the one hand and the German White Book on the other there exists a mass of evidence hitherto almost unknown in Great Britain or America—I refer to the evidence of the Belgian Press in the early days of the invasion. Here are some extracts from well-known newspapers:—

The *Het Handelsblad* of Antwerp, August 6th, 1914:—"A furious struggle without mercy, which roused in a portion of the civilian population of the Low Countries, disturbed in its peaceful work of the fields, a veritable and violent desire to defend the natal soil against the Prussian traitors. . . It is incontestable that from the air-holes of the cellars, loop-holes in the roofs made by removing tiles, from houses, farms and cabins a terrible fire was directed on the Uhlans and Silesian assailants."

Nieuwe Gazet, August 8th:—"De Burgerij Schiet Mee Op Den Indringer. ("The citizens also fire on the invaders.") "At Bernot the outposts had to fight against the civilians who fired like madmen at the invaders from houses, roofs and windows. Some women even took part in the struggle. A young girl, eighteen years of age, armed with a revolver, fired at an officer. . . The peasants and inhabitants kept up a regular fusillade against the Germans."

Het Handelblad, No. 190 :—"The peasants seized their sporting guns and killed the officer who was commanding the detachment and several men."

Nouveau Précurseur, Antwerp, says *à propos* of the massacre of Berneau :—"The priest of the village gives the signal to fire with a sporting gun from the belfry of the village. He was surrounded, forced to descend and shot." This is given as the account of an eye-witness.

Matin, Antwerp, No. 225 :—"At Dormael the three brothers Sevenans who had fired on the Germans were shot; their bodies were pierced by lance-wounds and their house was burnt down."

Nouveau Précurseur, No. 223 :—"It is no laughing matter. All the people, soldiers, Gardes Civiques or armed villagers take their task seriously. . . . It is no longer a question of soldiers or of the regular Gardes Civiques. These are villagers and retired members of the Garde. The majority are armed with sporting guns, several have revolvers and a few have sabres in addition." This is followed by the following advice from an officer of the Belgian Staff to a civilian correspondent :—"Take care not to fall into the hands of the Uhlans. . . . Never abandon your revolver; if you see them, fire at them but do not stop for a moment, it would mean death."

Burgerwelzijn, Bruges, No. 95, gives the following account of the fighting at Herstaël :—"Some 2,000 Germans had penetrated as far as the National Arms Factory and were received by a hail of bullets. All the houses, even the smallest, had been transformed into veritable fortresses. In addition to this, barricades had been erected in the streets, behind which soldiers and civilians were posted ready to fire. Women and children brought up the supplies of ammunition. The resistance lasted until all the men and women were *hors de combat*. The Germans then penetrated into the village, no longer fighting under command, but firing independently. They sheltered themselves behind a few remaining bushes, for the inhabitants had burned and destroyed everything which could serve as cover. Their trumpets rallied them, at least those who survived, and they retired on Vivegnies. It was with real joy that the inhabitants had seen the enemy disappear, when the sound of a trumpet was suddenly heard. The Uhlans had remounted and were advancing on the village at a trot while the infantry at the same time wheeling to the right attacked the village from the flank. The population allowed the assailants to approach. The attack of the Uhlans was terrible, no less terrible the resistance of the villagers. Men, women and children opened such a frightful fire on the enemy that the first ranks tumbled one on the other. The Germans nevertheless entered the village streets, cavalry in front, infantry behind, while the exasperated populace did not cease to overwhelm the enemy with its fire. The women poured boiling oil and water on the German soldiers who rolled on the ground howling with the pain. It will be some time before the people in Germany learn what the assailants of the village of Herstaël went through; one can, in fact, count on five fingers those who escaped alive from the carnage."

La Presse, Antwerp, No. 213 :—"Fighting in the streets of Liège": "Liège is resisting marvellously. The inhabitants uniting with the Garde Civique are fighting in the streets."

La Métropole, Antwerp, August 8th :—"Some of the inhabitants of Liège broke open the window of a gunsmith's shop, seized guns, revolvers and cartridges and pursued the Uhlans to the outskirts of the town."

Nouveau Précurseur, No. 225, *à propos* of the battle of Haelen :—"Lieutenant Van Doren, 4th Chasseurs-à-cheval, charged with the defence of the town of Diest, had not a single soldier at his disposal. He appealed to

the volunteer firemen of Diest. These as one man demanded to march to the firing line. . . Three of the firemen were slightly wounded ; their names are Emil Kneuts, Louis Van Attenhoven and Leandre Segars."

With regard to the incidents at Visé :—

De Stem van Haspengouw, August 6th :—"The Germans entered Visé where they met with a vigorous resistance not only on the part of a small detachment of soldiers who were there but also on the part of the civilians. The Germans completely destroyed the town."

The *Nieuwe Gazet*, August 7th :—"Some women and civilians have fired on the Germans who have shown themselves pitiless in sparing nothing."

Another correspondent of the same paper describes what he saw at Visé: "Young and old ran to take up arms, and if they were unable to stop the murderous advance of the German cavalry, the inhabitants at least resisted till the last moment. People fired from the houses upon the Germans, who, in conformity with the laws of war, in these cases, accorded no mercy. They penetrated into the houses from which the shots had been fired and shot a certain number of inhabitants found with arms in their hands."

Nieuwe Gazet, August 8th :—"After the German artillery had set some houses on fire, the infantry marched to the attack. This was not only directed against the soldiers, but also against the civilian population who took part in the combat. People shoot from the houses, small boys and women bombard the assailants with stones, and even some old men from behind the doors fire on the advancing soldiers."

The paper goes on to tell us that a German Officer assembled the inhabitants round him and was urging them to remain calm. "Scarcely had the officer closed his mouth, when a shot suddenly fired at him caused him to fall dead to the ground."

Gazette de Liège, August 5th :—"The inhabitants of the country side display a fine enthusiasm ; all the peasants are in ambush, armed with their sporting guns ready to fire on the invader."

In the face of such evidence, much of it furnished by correspondents who were eye-witnesses of what occurred, the main contention of the Belgian and Bryce Reports falls to the ground. The Belgian criticism of these statements as "taken from second-rate papers," "proving nothing," "unimportant," is obviously futile. That the German troops were confronted with a widespread and determined opposition on the part of armed civilians in flagrant violation of the Laws of War must be accepted as a fact established by evidence varied, cumulative and irresistible. On the other hand it is clear that no final verdict can be passed on the vexed question of the Belgian atrocities in general, until the unsworn evidence accumulated against the Kaiser's troops has been met to a much fuller extent. The White Book does not cover more than the incidents which occurred at Dinant, Aerschot, Andenne, Louvain, and the neighbourhood of Visé. While therefore it disproves, in conjunction with the Belgian evidence cited above, the propaganda plea that the story of civilian attacks was a myth, it does not of course deal with more than a portion of the ground covered by the British and Belgian Reports. Before any complete decision can be reached we

should require official replies from the German Government to a variety of alleged outrages in dozens of villages like Gomery, Latour, Ethe, the horrible charge of the shooting of the Valcken-aers family at Thildonck, and so on. There were certain cases, one of them known to the writer, in which mistakes and misunderstandings led to the execution of innocent civilians. Full allowance, too, must be made for the existence in all conscript armies of brutal and criminal types—not confined to the rank and file—and for the demoralising effects to which all the armies of the war were exposed whenever an abundant supply of wines and spirits was easily accessible by purchase or looting.

Nevertheless the fact that the main position taken up by the Allied Reports is obviously untenable, coupled with the significant refusal to allow the official German defence access to our shores, and the deliberate and disgraceful circulation of pseudo-atrocity stories during the war, would seem to suggest that as regards some at least of the alleged incidents lying outside the White Book suspense of judgment, pending further researches, may be the wisest attitude. Some day a useful and interesting monograph may be written on the whole question of atrocities in war. Careful investigation would, I am convinced, yield psychological results of permanent value, and establish the fact that the mental attitude which originates or accepts atrocity stories is frequently based on an amazing inter-mixture of credulity, mal-observation, megalomaniac impulses and deception, conscious or unconscious.

Meanwhile it is evident that the immense outlay of money and energy expended on the propaganda publications of the Entente fully accomplished their object and contributed most effectively towards winning what President Wilson has described as "a commercial and industrial war." Nevertheless the impartial historian of the future will, I think, present the story of the German invasion of Belgium in a somewhat different light from that in which this chapter of history has been portrayed in the official propaganda of the Allied Powers.

The final conclusions arrived at will perhaps be shaped on these lines:—

(1) That the Allied propagandists adopted methods of investigation which were often superficial and inadequate and accepted, together with certain evidence which was valid, much that was unsound and worthless.

(2) That the official defence put forward by the enemy was to a very large extent ignored or suppressed.

(3) That according to the recognised usages of war the German troops were fully justified in taking reprisals on the persons or property of those Belgian civilians who actually attacked them.

(4) That in some cases this right was exercised with unreasonable severity, and without adequate discrimination.

(5) That in certain instances, *e.g.*, the shooting of the hostages at Les Rivages, the invaders acted in a manner condemned by the general consensus of civilised opinion.

* * * * *

The civilised world was invited to condemn the German reprisals of 1914 in Belgium. What verdict will it record with reference to British reprisals in Ireland six years later?

The analogies inevitably suggested between the two cases are not as clear as they might at first sight appear to be.

(1) The civilians who fired on the invaders in Belgium were irregular combatants wholly distinct from the recognised Belgian Army. They were in fact *francs-tireurs* and nothing else. The men who are fighting against the troops of the Crown in Ireland constitute the only hostile force we have to meet. They are certainly not *francs-tireurs*: the question is, are they rebels or, as they have consistently claimed to be, combatants in civil war? If the former, they are technically outlaws and cannot claim belligerent rights. But the Prime Minister has himself definitely stated that "civil war" is being waged in Ireland and this statement appears to be in strict accord with international law, which makes a clear distinction between "rebellion" and "civil war."* Rebellion is action undertaken by sporadic groups of individuals with little organisation and hopelessly inferior in numbers to the forces of the existing Government. The Irish Republican troops on the other hand are organised in Divisions, Brigades and Battalions, are controlled by responsible leaders, and greatly outnumber the military and armed police forces opposed to them. Their claim therefore to be combatants engaged in civil war and, as such, to be treated in accordance with the rights and usages of war, seems well grounded. Had this claim been admitted from the commencement, the hideous death-reprisals indulged in on both sides would probably never have occurred. Such acts as the ambushing of troops in lorries or on foot are of course perfectly legitimate methods of offence in ordinary warfare.

* *Vide* Sir T. Barclay, "Laws of War" (*Encyc. Brit.*).

Even rebels, when fighting for a political object, are, according to high authorities like Bluntschli and Fiore, entitled to belligerent rights, and must not be treated as a "crowd of criminals" (eine Masse von Verbrechern).

Cf. Bluntschli (Das moderne Völkerrecht VIII. 512).—Wird sie dagegen nur strafrechtlich verfolgt, so wird dadurch der tatsächliche Kampf verwildert und es ist Gefahr dass die beiden streitenden Parteien in die Barbarei versinken und einander mit grausamen Repräsentationen zu überbieten suchen. What a prophetic picture of Ireland in 1921!

(2) As far as can be gathered from the White Book, the *francs-tireurs* who fired on Belgian troops were, even when caught *flagrante delicto*, usually accorded a drum-head court-martial or summary trial. But many instances have occurred in Ireland when unarmed men have been shot dead in or near their homes and sometimes in their beds, without even the semblance of a trial.

(3) Military reprisals in Belgium were, at any rate, regular in one respect: they were carried out under orders. According to the "Manual of Military Law," compiled for the use of our own Army, no reprisals are legitimate unless ordered by an officer. It is obvious that in very many cases Irish reprisals have been executed by the rank and file on their own responsibility, in total disregard of military discipline, but with complete immunity from punishment. Certain of these reprisals, *e.g.*, the shooting down of men, women and children at Croke Park, far exceed in atrocity anything proved against the Germans in Belgium.

(4) Although houses were frequently destroyed by the Germans the pretext in every case was that from these houses civilians had fired upon the troops. No parallel, as far as I can see, exists for the amazing Order issued in Cork to the effect that houses with their furniture are to be burnt because the occupants "must have known of ambushes" in the neighbourhood and "ought to have informed the authorities." Nor again is any parallel found in the White Book to the reckless destruction in Cork of public and private buildings, including the Free Library, as a reprisal for an ambush outside the city, or for the burning of creameries, factories, farms and haystacks in a general campaign of vengeance. It seems clear that fresh precedents are here established which are certainly not covered by the rules of civilised warfare, and run counter to the ordinary laws of reason and humanity.

(5) The use of hostages has been adopted in Ireland, as in Belgium, for there is little discrimination in principle between shooting hostages and exposing them to death on military lorries from the fire of their compatriots.

Although the question of hostages is not covered by the Regulations of either Geneva or the Hague, the claim to inflict injury or death on innocent persons in order to bring pressure to bear on an enemy force is now generally condemned as a barbarous and obsolete usage of war, and as such is expressly discountenanced by our "Manual of Military Law" (page 306).

P R E F A C E

IMMEDIATELY after the outbreak of the present war, the Belgian civil population began a wild contest against the German troops, which constitutes a flagrant violation of international law, and resulted in the most serious consequences for Belgium and its people.

This struggle of a populace governed by the rudest passions raged during the entire forward march of the German Army through Belgium. When the Belgian Army had retired before the German troops, after obstinate combats, the Belgian civil population in the unoccupied parts of the country endeavoured to hinder the German advance by every possible means; moreover, even in the places which had been in possession of German troops for a long time, the inhabitants had no hesitation in trying to damage and weaken the German forces by cowardly and treacherous attacks. The full extent of this armed popular resistance can be gauged from the accompanying sketch-map (App. 1), wherein the German lines of advance and the Belgian places in which the civilian fighting took place are marked. That along these routes and at these places the Belgian civil population of every grade, age, and sex took part with the greatest bitterness and fury in the fights against the German troops can be proved from existing and weighty material, supported by official documents containing the results secured by examinations on oath and official reports. A selection from this material is given in the various Appendices, which, however, only deal with the most important events, and can be supplemented at any time by further extracts. According to the accompanying material the Belgian civil population fought against the German troops in many places in the provinces of Liège (Apps. 2-10), Luxembourg (Apps. 11-30), Namur (Apps. 12, 17, 31-42), Hainault (Apps. 3, 7, 10, 40, 43-46, 49), Brabant (Apps. 47-49), East and West Flanders (Apps. 49, 50). The fights were of a particularly dreadful character in Aerschot, Andenne, Dinant, and Louvain, and about these places

special reports were delivered by the Military Court of Examinations, instituted by the Ministry of War for the purpose of inquiring into the violations of the laws of war (Apps. A, B, C, D). According to these reports, men in all stations of life—workmen, factory owners, doctors, teachers, even priests, not to speak of women and children—were arrested with weapons in their hands (Apps. 18, 20, 25, 27, 43, 47; A5; C18, 26, 29, 31, 41, 45, 48); in districts from which the Belgian regular troops had long since retired the Germans were fired on from houses and gardens, roofs and cellars, fields and woods. In the fighting, methods were employed to which regular troops would certainly not have resorted, and large quantities of sporting-guns and ammunition, out-of-date revolvers and pistols were also found (Apps. 6, 11, 13, 26, 36, 37, 44, 48, 49; A2; C52, 81; D1, 2, 6, 20, 37); in consequence, there were numerous cases of wounds caused by small-shot, and also by scalding with hot tar and boiling water (Apps. 3, 10; B2; C5, 11, 28, 57; D25, 29). In view of all these facts, there can be no doubt that the uprising in Belgium was not undertaken by isolated civilians, but by large masses of the population.

The methods of fighting employed by the civilian population were absolutely incompatible with the universally recognised rules of international law, as laid down in Articles 1 and 2 of the Hague Convention (Laws and Customs of War on Land), which had also been accepted by Belgium. These rules differentiate between organised and unorganised civilian warfare. In an organised People's War (Article 1) the militia and volunteer corps, in order to be recognised as belligerents, must observe the four following regulations: They must have responsible leaders at their head; they must wear a distinctive badge, also visible at a distance; they must carry their weapons openly; and must conform with the laws and usages of war. The unorganised People's War (Article 2) need not fulfil the first two of the above conditions, but must strictly adhere to the two latter ones: it may only be carried on in territory not yet occupied by the enemy, and only then if no time has been left to arrange for an organised People's War.

The two special conditions laid down for organised civilian warfare were certainly not carried out by the Belgian francs-tireurs, because all the German military reports are unanimous in stating that the civilians found fighting had no responsible leaders, and wore no military badges (Apps. 6, 49; C4-7, 12, 15, 22, 24, 25, 31; D). The

Belgian francs-tireurs can therefore not be looked upon as organised militia or volunteer corps according to the meaning of the laws of war. The fact that apparently Belgian soldiers and members of the Garde Civique also took part in their enterprises does not alter the case, because, as these persons too did not wear military badges, but mingled with the population in civilian dress (Apps. 6 ; A3 ; C25 ; DI, 30, 45, 46), they forfeited the rights of belligerents.

The whole of the Belgian People's War can therefore only be regarded as an unorganised armed opposition of the civilian population. Being as such only permissible in unoccupied territory, it was without doubt absolutely against international law, when carried out in places already in the possession of German troops, as, for instance, in Aerschot, Andenne, and Louvain. But also in those places not yet occupied by German troops unorganised civilian war was not permissible, as the Belgian Government had had ample time to organise civilian war in accordance with international law. The Belgian Government had reckoned with the fact for many years, that in the event of an outbreak of war between Germany and France they would be drawn into the conflict ; the preparations for their mobilisation were, as can be proved, commenced at least a week before the entry of the German troops. The Government were therefore in the position to provide those members of the civilian population they proposed to make use of for fighting purposes with military badges, and give them responsible leaders. If the Belgian Government made known to the German Government through the mediation of a neutral Power that they had taken the necessary measures, this only proves that they were in a position to comply with the conditions as laid down ; in any case, however, such steps were not taken in those parts of the country traversed by the German troops.

The requirements of international law for an unorganised People's War were, according to this, quite disregarded in Belgium, and, moreover, it was carried on in a manner which alone would have sufficed to have put those who participated in it outside the laws of war. For the Belgian francs-tireurs regularly carried their weapons in a concealed fashion, and failed to observe the laws and usages of war throughout.

On unimpeachable evidence it has been proved that, in a large number of cases, the German troops were received by the inhabitants on their arrival in an apparently friendly

manner, and then, when darkness set in, or some other opportunity presented itself, were surprised by an armed attack; such cases occurred especially in Blegny, Esneux, Grand Rosière, Bièvre, Gouvy, Villers devant Orval, Sainte-Marie, Les Bulles, Yschippe, Acoz, Aerschot, Andenne, and Louvain (Apps. 3, 8, 11-13, 18, 22, 28, 31, 43; A, B, D). All these surprise attacks obviously offend against the precept of international law that weapons are to be carried openly.

The chief burden of blame which rests on the Belgian people is, however, their unheard-of violation of the usages of war. In several places, for instance Liège, Herve, Brussels, Aerschot, Dinant, and Louvain, German soldiers were treacherously murdered (Apps. 18, 55, 61, 65, 66; A1; C56, 59, 61, 67, 73-78), which is absolutely against the prohibition which forbids the "treacherous killing or wounding of individuals belonging to the enemy people or army" (Article 23, Section 1 (b) of the Hague Convention: The Laws and Customs of War on Land). Further, the Belgian population did not respect the sign of the Red Cross, and thereby offended against Article 9 of the Geneva Convention of July 6th, 1906; in particular, they did not hesitate to fire upon the German troops under the protection of this sign, and also to attack hospitals in which there were wounded, as well as members of the Ambulance Corps, while they were carrying out their duties (Apps. 3, 4, 12, 19, 23, 28, 29, 32, 41, 49; C9, 16-18, 32, 56, 66-70; D9, 21, 25-29, 38, 47). Finally, it is absolutely certain that German wounded were plundered and killed by the Belgian population, and indeed in many cases horribly mutilated; and that even women and young girls took part in these shameful actions. In this way the eyes of German wounded were torn out, ears, noses, fingers, and sexual organs cut off, or their bodies slit open (Apps. 54-66; C73, 78; D35, 37); in other cases, German soldiers were poisoned, hung on trees, deluged with burning fluid or otherwise burnt, so that they died a particularly agonising death (Apps. 50, 55, 63; C56, 59, 61, 67, 74-78). This bestial behaviour on the part of the population is not only absolutely contrary to the express obligation laid down in Article 1, Section 1 of the Geneva Convention regarding the "respect and care of" the wounded and sick of the enemy army, but also to the first principles of the laws of war and humanity.

Under these circumstances, the Belgian civil population who took part in the fights could of course make no claim to the treatment due to belligerents. On the contrary, it

was absolutely necessary for the preservation of the German Army to have recourse to the sharpest measures against these francs-tireurs. Individuals who fought against the German troops had therefore to be cut down; prisoners could not be treated as prisoners of war, according to the laws of war, but as murderers. All the same, the forms of judicial procedure were complied with, in so far as they were compatible with the necessities of war; the prisoners were, when the circumstances permitted, only shot after a hearing in accordance with the regulations, or after sentence by a military court (Apps. 19, 20, 37, 40, 41, 43, 44, 48). Old men, women, and children were spared to the widest extent, even when gravely suspected (Apps. 49; C5, 6, 25, 26, 28, 31, 35, 41, 47, 79); and indeed the German soldiers, although their patience was put to an extremely hard test, looked after such people, whenever possible, sometimes in the most self-sacrificing manner, taking the helpless under their protection when in danger, sharing their bread with them, bringing the sick and weak to places where they could be cared for (Apps. C45, 47, 51-53, 55, 58, 80-86).

That the Belgian Government are largely to blame for the illegal attitude of their population towards the German Army is indisputable. For apart from the fact that a Government has, under all circumstances, to bear the responsibility for actions of this kind, which are the expression of the popular will, the serious accusation must be made against them that they did not put an end to this guerilla war, although they could have done so (Apps. 33, 51-53; D42, 43, 48). It would certainly have been easy for them to give the necessary instructions to their officials, such as the Burgomasters, members of the Garde Civique, and the soldiers, in order to check the passionate excitement of the people, which had been artificially aroused. Therefore the full responsibility for the terrible blood-guiltiness which rests upon Belgium must be attached to the Belgian Government.

The Belgian Government have made the attempt to free themselves from this responsibility by attributing blame for the occurrences to the destructive rage of the German troops, who are said to have committed deeds of violence without any reason. They have appointed a Commission for the investigation of the alleged German outrages, and have made the findings of this Commission the subject of diplomatic complaint. This attempt to pervert the facts

has failed utterly. The German Army is accustomed to make war only against hostile armies, and not against peaceful inhabitants. The incontestable fact that from the commencement a defensive struggle was forced on the German troops in the interests of self-protection by the population of the country cannot be argued away by the investigations of any Commission.

The narratives of fugitives gathered together by the Belgian Commission, which are characterised as being the result of scrupulously impartial investigations, bear the stamp of untrustworthiness, if not of malicious misrepresentation. In view of the existing conditions the Commission was not in a position to test the correctness of the reports brought before it, or to grasp the connection of events. Their accusations against the German Army are therefore nothing but low calumnies, which cannot stand before the documentary evidence possessed by us.

The struggle of the German troops with the civil population of Aerschot did not arise because German officers attacked the honour of the Burgomaster's family, as is suggested on the Belgian side, but on account of a well-thought-out attack on the Commanding Officer of the place by the civil population, who treacherously murdered him (App. A). At Dinant it was not innocent, peaceful inhabitants who fell victims to the German arms, but murderers, who treacherously attacked German soldiers, and in this way involved the troops in a struggle which destroyed the city (App. C). In Louvain the fight with the civil population did not arise because fleeing German troops were involved by mistake in hand-to-hand contests with their comrades who were entering the town, but because a deluded population, unable to grasp the course of events, thought they could destroy the returning German soldiers without danger (App. D). Moreover in Louvain, as in other towns, the burning torch was only applied by German troops when bitter necessity demanded it. The plan of the destruction of Louvain (App. 50) shows clearly how the troops confined themselves to destroying only those parts of the city in which the inhabitants opposed them in a treacherous and murderous manner. It was indeed German troops who took care, whenever possible, to save the artistic treasures, not only of Louvain, but of other towns; a special German Commission has shown to what a large extent German troops protected the art treasures of Belgium.

The Imperial German Government believe that by the publication of the material contained in this work they have proved in a convincing manner that the action of the German troops against the Belgian civil population was provoked by the illegal guerilla war, and was required by the necessities of war. On the other hand, they level a solemn and emphatic protest against a population which has, by the most despicable means, waged a dishonourable war against the German soldiers and still more against a Government which, in complete perversion of its duties, gave rein to the senseless passions of the population, and now does not scruple to endeavour to free itself from its own heavy guilt by mendacious libels upon the German Army.

BERLIN, *May 10th*, 1915.

UNIV. OF CALIFORNIA

THE GERMAN ARMY IN BELGIUM

APPENDICES 2-66— DOWN THE EASTERN FRONTIER

App. 2.

STATEMENT of Lieutenant of Reserve Max von Amelunxen,
Jäger Battalion No. 4 (at the time attached to the
Headquarters Staff, 2nd Army).

I took part in the sudden outbreak of hostilities at Liège as Reserve officer of my battalion. When during the advance upon Liège a stoppage occurred on the line of march, I rode out through the village of Battice to discover the cause. At the very first houses, I was fired upon, and saw clearly two civilians shooting from a window in the roof, whose fire I returned. One of them I must have killed with my Mauser carbine, for he fell to the ground at once. I believe I hit the other also. At the same time from different sides—in my estimate there were at least from 15 to 20 guns—fire was opened on myself and the cavalry men, who had in the meantime arrived on the scene. I received a light gunshot wound in the lower part of my body, while many pellets passed through my valise. The persons who fired were certainly civilians. The houses, from which they had been fired at, were set alight by the troops who had arrived. I myself had meanwhile ridden on farther. The incident must have occurred on the 4th or 5th of August.

During later motor-car journeys on military duties I was fired at by civilians on countless occasions. In France up to the present nothing of the kind has ever happened to me.

Signed : v. AMELUNXEN.

App. 3.

STATEMENT of Colonel von Gottberg, Infantry Regiment
Freiherr von Sparr (3rd Westphalian), No. 16, 14th
Division.

GUIGNICOURT, *September 29th, 1914.*

On the 5th August 1914, just before dark, violent gunfire was directed against our heavy baggage from many windows by the inhabitants of the village of Blegny. Lieutenant Hahn deposes that troops were fired upon at night by the inhabitants from the very same houses in Blegny in which they had been entertained during the day. Musketeer Gocheln of the 6th Company was killed in this way; Musketeer Hochgrafe of the 7th Company was wounded by a shot in his shoulder. Both companies were witnesses to this. These incidents were repeated during the night, and in this way Musketeers Maiworm and Epping of the 5th Company were wounded.

Lieutenant Edler von Daniels testifies that in a Belgian village near Blegny his patrol was fired upon from ambush. This took place in a street where the 9th Company had bivouacked for a day and a night.

At Troisfontaines the 11th Company was fired upon from the houses by civilians. Musketeers Meister and Schwaffertz were wounded. In this same place men belonging to this company were in the daytime entertained with cigars and food, and particularly by an elderly man; this same man fired by night and wounded a man of the company.

Staff-Surgeon Dr. Falk, who, with the ambulance party of the 1st Battalion, wanted to push forward to the wounded on August 5th, 1914, was fired upon by civilians, so that he was forced to take shelter. Non-commissioned Officer Voss of the 4th Company was killed by three shots from civilians. He could not be fetched, as the street had been brought under fire by the inhabitants. Lieutenant Hahn was an eye-witness of what took place.

In Anderlues shots were fired from a house by a French soldier and a civilian. An Acting-Sergeant-Major and non-commissioned officer were seriously wounded, a musketeer of the 11th Company was killed. A witness of this occurrence is Captain Eckhardt. The soldier and civilian were shot.

Signed: VON GOTTBURG.

App. 4.

MILITARY COURT EXAMINATION of Staff-Surgeon of Reserve
Dr. Rehm, Infantry Regiment No. 165.

CHERISY, *November 23rd, 1914.*

Court of the 7th Infantry Division.

President of the Court, Dr. WELT.

Secretary, LORENZ.

There appeared as witness Staff-Surgeon of Reserve Dr. Rehm, 3rd Battalion, Infantry Regiment No. 165, who, after the importance of the oath had been pointed out to him, made the following statement :

On the 6th of August 1914 I reached at Retinne a military ambulance station, where the staff was very busily occupied. The character of the station was clearly made known by its Red Cross flags, and in view of the whole nature of its activities no doubt could exist as to its real character. In the immediate vicinity no fighting had taken place ; on the contrary, our troops had already advanced to Bellaire. Nevertheless our ambulance station was persistently fired upon ; continually, for the whole day long, single shots fell amongst us, coming from the houses close at hand, and mostly, as a matter of fact, from the roofs. The shots which fell upon the hospital could only have proceeded from civilians, as there were no longer any enemy troops in the place. As I could not for the time being secure any troops for the protection of the ambulance station, I armed the lightly wounded and allowed them to return the fire—for the moment, however, with little success, as we could not see our well-concealed adversaries. When in the evening some detachments of troops arrived at Retinne and were also fired at, the houses were systematically searched. From some houses dozens of men were dragged out. It was noticeable that in the houses were only one or two women and no children at all, so that I formed the impression that the firing had been arranged beforehand. The men fetched out of the houses were without exception civilians of various ages.

Read over, approved, signed.

Signed : Staff-Surgeon Dr. REHM.

Proceedings closed.

Signed : Dr. WELT. Signed : LORENZ.

App. 5.

STATEMENT of Lieutenant Zielsche, Machine-gun Company,
Infantry Regiment No. 42.

WALDRIEDER, *August 17th, 1914.*

1. At Visé the inhabitants carried out a surprise attack upon the 18th Pioneers on the night of the 15th-16th August.

2. Between Visé and Warsage my platoon was continuously fired at from the immediate surroundings from about 10 o'clock in the evening till 3 in the morning. A column of army bakers retired from Visé and was also fired at. We could see nothing of the inhabitants. When in the morning I passed through Warsage in order to secure provisions, it was empty, with the exception of one or two houses.

Signed : ZIELSCHE, Lieutenant.

App. 6.

MILITARY COURT EXAMINATION of Non-commissioned Officer
of Reserve Rasch (Reserve Regiment No. 74).

HANOVER, *November 20th, 1914.*

Present :

President of the Court, LINDENBERG.

Secretary, LÜHE.

There appeared as witness Dentist Rasch, Non-commissioned Officer of Reserve, now in Reserve battalion, Infantry Regiment No. 74, who stated :

As to Person : My name is Gustav. I am 29 years old ; Lutheran.

As to Case : When the mobile Infantry Regiment No. 74 was marching on Liège in August 1914, I received the order to remain behind with a detachment of the 9th Company for the protection of the baggage collected in the market-place at Poulseur. There were also available a few infantry soldiers and hussars as escort. Amongst the officers personally known to me was an Artillery Lieutenant of Reserve, Hildebrandt, who came from Hanover. When the regiment itself had already advanced from Poulseur in the direction of Liège, and night had fallen, the baggage and the escort beside it in the market-place were suddenly fired upon from all the surrounding houses. This hostile firing had clearly been planned and concerted beforehand.

for immediately before the fire began the lights in the surrounding houses were simultaneously extinguished, and at the same moment came firing from all sides. We did not know what was happening to us. Moreover, we were not only fired at from the houses, but assailed with cartridges of dynamite or some similar explosive, which possibly were derived from one of the mines in the neighbourhood of Poulseur.

The firing continued, with certain intervals, the whole night through. We on our side of course opened fire and tried as far as possible to find shelter behind the baggage waggons. Nevertheless we had dead and wounded; among these was a Lieutenant of Reserve of a hussar regiment, whom we placed in an inn belonging to a German. I myself took part with my men in storming a number of houses. During this process persons who actually opposed us in the houses with weapons in their hands were shot down. Where we found arms and munitions in the houses, we brought the occupants into the market-place. I can affirm with absolute certainty that all those who resisted us or were brought to the market-place wore no uniforms; on the contrary, they were, without exception, civilians. Next morning when we had proceeded with the baggage to the outskirts of the town there arose from the town an extremely violent series of crackling sounds which served to indicate the existence of thousands of cartridges. Some of the men said that the countless cartridges which had been found in the Burgomaster's house were exploding.

Further, when the baggage of Regiment No. 74 withdrew on the following day through Poulseur from the direction of Liège, we were again fired upon.

Read over, approved, signed.

Signed: RASCH.

The witness was sworn.

Verified.

Signed: LINDENBERG. Signed: LÜHE.

App. 7.

STATEMENT of Captain Haupt, Commander of the Heavy Commissariat Column No. 2, X. Army Corps.

At midday on August 14th, at Louveigné, an artillery munitions column marching behind the commissariat column was fired on by civilians. The number of the column I cannot now remember

On August 28th, at Gerpennes, Driver Pook, who was looking for food in an abandoned house, was fired at from a neighbouring house, and wounded slightly in the hand. The search among the neighbouring houses for the assailant was unsuccessful.

Signed: HAUPT, Captain and Column Commander.

App. 8.

MILITARY COURT EXAMINATION of Sergeant-Major Mävers, Non-commissioned Officer Kielholz, Corporal Fruth, Lieutenant Schliep, Acting-Sergeant-Major Horn, and Corporal Niebeln, all of Infantry Regiment No. 73.

PONTGIVART, *November 12th, 1914.*

Present :

President of the Court, FUHSE.

Secretary, HENSEN.

There appeared as witnesses the under-mentioned persons, who, after the importance of the oath had been pointed out to them, made the following statement :

I. Sergeant-Major Mävers, 4th Company, Infantry Regiment No. 73.

As to Person: My name is Wilhelm Mävers. I am 27 years old; Protestant.

As to Case: On the afternoon of August 7th, 1914, somewhere between 6 and 7 o'clock, our company had to secure the eastern exits of Louveigné. We took up a position before a farm at the exit of the village. Suddenly—it was still quite light—a shot was fired near us; the bullet whistled close past my ear. The shot was evidently the sign for a general firing upon the company and on the baggage which remained behind us in the village, for there now commenced a violent fire from the houses, especially from the roofs and upper storeys. The company speedily took up a position on the slope of a garden near the farm where we were posted. While this was going on, I looked round and noticed that several shots were fired from the first storey of a corner house; one saw the smoke rise up after the shot was fired. I am quite certain that I saw that those who fired wore civilian clothes. The company replied to the firing for about $\frac{1}{4}$ hour, and directed their fire against a house near the above-mentioned farm. In our neigh-

bourhood the fire slackened, while in the village shooting still continued.

Read over, approved, signed.

Signed : MÄVERS.

The witness was sworn.

2. Non-commissioned Officer Kielholz, 2nd Company, Infantry Regiment No. 73.

As to Person : My name is Paul. I am 23 years old ; Protestant ; bank employé at Husum.

As to Case : On the 7th August 1914 I was one of a field outpost, which was placed about 300 metres west of Louveigné on the road. Suddenly as it began to grow dusk we were fired on from the village, and shots were directed against us from trees and from a rather high-lying cornfield. We skirmished out and lay down in a field of roots, and some of us replied to the fire. We then noticed that a number of people in civilian clothing who had been lying in the cornfield were running away. We were under fire for about half an hour, and at least 100 shots were fired at us.

Read over, approved, signed.

Signed : KIELHOLZ.

The witness was sworn.

3. Corporal of Reserve Fruth, 9th Company, Infantry Regiment No. 73.

As to Person : My name is Friedrich. I am 26 years old ; Protestant ; hairdresser.

As to Case : On August 5th, 1914, I found myself near the campaign baggage of the company. In the afternoon we reached Esneux, where we halted in the village street. The inhabitants were very friendly to us, and the people came out of the houses and gave us food and cigarettes without taking payment.

Towards evening we left this place and marched in the direction of Liège. We then noticed that the people looked at us from the windows and laughed ironically. About a kilometre in rear of Esneux we had to halt. Suddenly fire was opened upon us from some ground near us on our left, whereupon we received the order to turn back. Up to the present only single shots had been fired at us, but as soon as we regained the village a hot fire was opened from the houses. Shots came from almost every house ; it was impossible to select any in particular. From the sound of the shots one could recognise that the guns were of different patterns. Several of us were wounded, one horse was shot

dead, another was wounded. We searched the houses and found guns of various kinds. I did not see any of military pattern.

Read over, approved, signed.

Signed : FRUTH.

The witness was sworn.

4. Acting-Sergeant-Major Horn, 7th Company, Infantry Regiment No. 73.

As to Person : My name is Friedrich Horn. I am 28 years old ; Protestant.

As to Case : On the 6th August this year I was in charge of the baggage of the 2nd Battalion of my regiment. When I arrived in the neighbourhood of Poulseur I sent forward three men of the cyclist company of the 10th Jäger Battalion, who had joined us as stragglers, as a cyclist patrol, towards the village ahead, in order to see if the battalion was already there. However, one man of the patrol soon returned with the news that he had lost both the others ; they had apparently fallen, as the patrol had been fired at from houses in Poulseur. When I reached Poulseur with the baggage, I and my men also came under fire. I placed the two foremost waggons across the road for defence, and led my men forward. We also made preparations in a house for our own defence. Then things became quiet. After a short interval the firing broke out again, so that we were compelled also on our side to fire into the houses. The sound of the assailants' shots was altogether different from that from our rifles. There were no enemy troops in the place ; it could therefore be only civilians who had fired. Several cavalry patrols also declared that they had been fired at by civilians.

Read over, approved, signed.

Signed : HORN.

The witness was sworn.

5. As witness, Corporal Niebeln, 7th Company, Infantry Regiment No. 73.

As to Person : My name is Ernst. I am 25 years old ; Lutheran ; by calling a merchant in Hanover.

As to Case : On the day of the fight near Liège our regiment, as we were leaving Esneux, was under fire from the houses. Further, when outside the town we were fired upon from the hillsides on the right and left, and also from trees.

Our troops at once forced a way into the houses from

which shots had come, and some civilians were brought out. A number of weapons were also discovered. I myself saw the civilians. There were no Belgian troops in the houses.

Two days after the battle of Liège, when we were leaving the village of Louveigné in the evening, a hot fire was opened on us from the houses. One man was wounded, and I saw the pellets in his back. We replied to the fire and drove the people from the houses. Only civilians emerged, and these were shot.

Read over, approved, signed.

Signed: NIEBELN.

The witness was sworn.

Signed: FUHSE. Signed: HENSEN.

App. 9.

MILITARY COURT EXAMINATION of Non-commissioned Officer Gruber, Bombardier Schökel, and Captain Neumann, all of the 1st Infantry Munitions Column, X. Army Corps.

ALSFELD LE VILLE, *November 25th, 1914.*

Present :

Officer of the Court, Lieutenant MAACK.

Secretary, Non-commissioned Officer SCHÜTTE.

With reference to what took place at the surprise attack at Louveigné, the under-mentioned witnesses, after the importance and sanctity of the oath had been pointed out to them, made the following statements :

1. Non-commissioned Officer Gruber.

As to Person : My name is Fritz Gruber. I am 35 years old ; Protestant ; non-commissioned officer, 1st Infantry Munitions Column, X. Army Corps ; implement-smith in a machine factory in Hanover.

As to Case : On the second day of our march through Belgium we passed through Louveigné. The place was already burnt down. We halted here, and orders were given to water the horses. As we were waiting for the command to make ready, a shot was suddenly fired at us from a house in the street on our right, and after this a number of other shots followed from other points. I was standing by the last waggon in front of the supplementary convoy, so pretty nearly at the end of the column. We forced our way in the direction of the shots into the garden belonging to the house, and here caught two civilians, one of whom had his hand in his pocket full of cartridges. He

was hidden in some bushes, and tried to escape on our approach ; the other was standing close beside him.

Read over, approved, signed.

Signed : FRITZ GRUBER.

The witness was sworn.

2. Captain Neumann.

As to Person : My name is Wilhelm Neumann. I am 45 years of age ; Lutheran ; Captain and Leader of the 1st Infantry Munitions Column, X. Army Corps ; Police-Court Councillor at Syke, near Bremen.

As to Case : On August 14th, 1914, my column was marching with others through Louveigné. A halt was made here for watering the horses. I was near the head of the column when I heard shots behind me. Subsequently I was informed that the rear of the column had been fired at from the flanks. Soon after, before I could make any definite arrangements, two civilian men were brought forward by soldiers belonging to my column, with the information that these were caught in trying to escape after they had fired on the column.

After a brief trial these persons were shot because they had been caught in the act.

Read over, approved, signed.

Signed : NEUMANN.

The witness was sworn.

Signed : MAACK, Lieutenant.

Signed : SCHÜTTE, Non-commissioned Officer.

App. 10.

STATEMENT of 1st Lieutenant Helmke of the Telephone Detachment, X. Army Corps.

On the night of the 11th-12th August at Hockai, in the quarter in which I lay with my platoon together with a platoon of infantry, two infantry soldiers were wounded in the head by small shot which had been fired from outside through the open door down the passage. As I myself, too, stepped out of the house a shot was fired at me in the dark, apparently from a revolver. As there were no enemy troops in the vicinity, it is only the action of civilian inhabitants which comes into question here.

When on the evening of the 22nd August, during an advance, I entered with my detachment the apparently deserted village of Aiseau, near Tamines, in the middle of the village, at a bend of the street, a vigorous fire was

opened on the detachment from the houses on every side. This had the appearance of a surprise attack, thoroughly prepared beforehand; and this was afterwards confirmed by the fact that on searching the houses we discovered a considerable collection of ammunition on the window-sills, amongst it a large number of French cartridges.

As cartridges of military pattern were found in the houses of four of the inhabitants, we may accept it as certain that the inhabitants had taken part in the firing. The four inhabitants were arrested and led away by a platoon of pioneers who had carried out the search of the village.

Signed: HELMKE, 1st Lieutenant.

App. II.

REPORT of Colonel von Wentzky, commanding 11th Cavalry Brigade, 5th Cavalry Division.

On the 10th August, Dragoon Regiment No. 8 arrived at Grande Rossière (2½ kil. N.W. of Nives) and there bivouacked for the first time on Belgian soil, *i.e.* four squadrons of the regiment bivouacked in two detachments quite close to the village. The staff of the 11th Cavalry Brigade took up its quarters in a house. Here we found two elderly women and a young man who received us in a markedly cordial manner and exerted themselves most willingly in looking after us. We noticed that during the course of the evening young men came into the house for a short time and soon afterwards disappeared, and in the same way the young man belonging to the house disappeared.

Towards 11 o'clock in the evening I betook myself, accompanied by an orderly officer, to the bivouac of the 4th and 5th squadrons of Dragoon Regiment No. 8, which lay some 300 metres from my own quarters. When, after about 10 minutes, I wanted to return from this spot, I heard shots in various places; one could distinguish the reports of the sentries' rifles from those of other weapons. At this moment the Adjutant of Dragoon Regiment No. 8 came to me and reported that he had just been fired upon at the door of his house from a house lying opposite and ostensibly abandoned. I at once made the 4th squadron take up their rifles, and ordered Lieutenant Baron von Richthofen to surround the house from which the shots had come, and make prisoners of the persons found inside. Some minutes later the firing was renewed. Lieutenant Baron von

Richthofen received a shot in the body, and died next day from the wound. Two civilians were fetched out of the house with pistols in their hands which had just been discharged; we also found in their possession both discharged and loaded cartridges. Later in the course of the night the bivouacs of Dragoon Regiment No. 8 were repeatedly fired at. According to the report of Lieutenant Nikisch there were found in the houses a considerable number of pistols, guns, and ammunition; also loose powder and quickfires, more especially in the house occupied by the 11th Cavalry Brigade.

Signed: VON WENTZKY, Colonel and Brigade Commander.

App. 12.

REPORT of Lieutenant-Colonel and Regimental Commander von Giese (Leib-Kürassier Regiment No. 1).

At Petite-Rosière, the first quarters occupied by the regiment in Belgium, the inhabitants received the troops, and especially the officers, with the utmost cordiality and goodwill, so that not the slightest difficulty was experienced in securing food and forage. At Grande-Rosière, distant about $1\frac{1}{2}$ kil., lay Dragoon Regiment No. 8, and also the staff of the 11th Cavalry Brigade. At this place the inhabitants waited until the officers assembled in the evening for the issue of orders, and then opened fire upon them as they left the house. Very soon after this shooting, shots were fired by the inhabitants of Petite-Rosière at the bivouacs of the squadrons and at the pickets. This firing only ceased completely when every inhabitant had been brought out of the houses and had one and all been locked up. The inhabitants of the village were not irritated in any way whatever, but were treated throughout with kindness.

On August 23rd at Bièvre the 3rd squadron acting as reconnoitring squadron found facilities for watering the horses placed at its disposal in a very obliging manner. Then after a short time the inhabitants fired at the squadron from the houses. In this place at the same time one of the inhabitants shot a trooper of the 8th Kürassiers dead, and severely wounded an infantry soldier.

At the fight of Les Rivages the regiment had to leave behind some of its wounded on a very thickly wooded hill-side. When the surgeons and the ambulance men of the regiment approached the wood over open ground, shots

were fired at them by the inhabitants in spite of the waving of two large Red Cross flags. On the nearer approach of our men the assailants withdrew; nevertheless, the ambulance men while still in the wood were again fired at, even when engaged in succouring the wounded.

Signed : v. GIESE, Lieutenant-Colonel and Regimental Commander.

App. 13.

REPORT of the Brigade Staff, 64th Infantry Brigade (32nd Division), in quarters at Condé.

October 8th, 1914.

On the 5th August of this year the 64th Infantry Brigade entered Gouvy. The population at first gave us the appearance of being well disposed to the Germans, and was extremely cordial. Pails of water, *e.g.*, were provided for the troops as they marched through, without any previous request for this service. The stationmaster was especially prominent in welcoming the troops; the parish priest, in apparently friendly fashion, took pains to make the officers comfortable. Despite all this, the behaviour of the inhabitants seemed to the brigade to be suspicious, and for this reason the place was searched for weapons. The search of the station buildings also took place in the presence of the stationmaster. To the question whether goods of any kind, weapons, explosives, etc., were to be found in the place, the stationmaster returned a most decided negative. His assertion, nevertheless, turned out to be false. For in a small room, lying hidden away, which, according to the stationmaster's statement, served for the storing of his furniture, we discovered, underneath a good deal of rubbish, boxes which contained about 300 Browning pistols. In addition to this there was concealed in the room a hundred-weight of dynamite. As the stationmaster could give no credible explanation as to the use which was to be made of these weapons and explosives, he was arrested.

Further, on the night of 8th-9th August 1914, the orderly officer of the 64th Infantry Brigade, Lieutenant of Reserve Schmidt, was ordered to ride to Vielsalm and there give the alarm to the Guard-Jäger Battalion and the 11th Jägers. On the way there he was fired at by civilians in the neighbourhood of Bovigny. At this time no enemy troops were to be found in that locality.

At Leffe it was established unquestionably by the Brigade Staff that, after the capture of this place, the civil population fired on the troops of the 64th Infantry Brigade from cellar windows and barricaded houses, to some extent even using small shot. In consequence, we lost a number of men, including officers.

Signed : MORGENSTERN-DÖRING.

App. 14.

STATEMENT of 1st Lieutenant and Column Commander
Marggraf, Field-Bakery Column No. 1, III. Army Corps.

MONTAIGU, *October 3rd*, 1914.

On the morning of August 20th the Field-Bakery Column No. 1, III. Army Corps, had begun work near Marche, almost as far up as the village of Hollogne-Aye. The occupants of the houses in the vicinity displayed throughout the day no hostile intentions. Nevertheless, when towards evening a munitions column wished to drive up into position, quite close to the bakery, shots were fired at them from the neighbouring woods and gardens, which contained some single houses. On searching these houses no arms were found on the inhabitants, but some of them were still in possession of cartridges loaded with large shot. These persons were taken away.

Signed : MARGGRAF, 1st Lieutenant and Column
Commander.

App. 15.

STATEMENT and MILITARY COURT EXAMINATION of Captain
Burkhardt, Commanding Heavy Commissariat Column
No. 2.

FERME FLEURICOURT, *October 3rd*, 1914.

The Heavy Commissariat Column No. 2 reports that the column on the 20th and 23rd August, before and after its entrance into Marche, was fired at by the inhabitants.

Signed : BURKHARDT, Captain and Column
Commander.

Present :

President of the Court, SCHWEINITZ.
Secretary, LIPS.

FERME FLEURICOURT, *October 7th*, 1914.

There appeared as witness Captain Burkhardt, who,

after the importance of the oath had been pointed out to him, made the following statement :

As to Person : My name is Heinrich Burkhardt. I am 44 years old ; evangelical ; farmer ; now Captain of Landwehr ; Commander of the Heavy Commissariat Column No. 2.

As to Case : On August 29th, 1914, outside Hologne, fire was opened upon us from the wood from all sides. It was about 6 o'clock in the evening. We were on the march to Marche. There were no enemy troops in the neighbourhood. Our assailants were therefore civilians. We also took prisoner about twenty civilians who were caught red-handed in the wood, and these were conveyed to Marche by an artillery munitions column.

On August 23rd, 1914, we marched right through Marche. Shots were fired at us and at the munitions column from various houses. However, we made no halt here at all, as we were bound for Laroche.

Read over, approved, signed.

Signed : BURKHARDT.

The witness was sworn.

Signed : SCHWEINITZ. Signed : LIPS.

App. 16.

MILITARY COURT EXAMINATION of Army Baker Börner,
2nd Field-Bakery Column, XII. Army Corps.

MONTAIGU, *October 7th*, 1914.

Present :

President of the Court, SCHWEINITZ.

Secretary, LIPS.

There appeared as witness the baker Börner, who made the following statement :

As to Person : My name is Max Gotthard Börner. I am 30 years old ; Protestant ; by trade formerly baker ; later, assistant pointsman ; at present, baker in the Field-Bakery No. 2, XII. Army Corps.

As to Case : While we were quartered in Marche, or close to it, I went with field-baker Werner into the town, where, as we felt thirsty, we asked a woman who stood at the gate of a yard for *l'eau*. She gave us to understand that she would like to give us some coffee, and led us into the house by the back door. We both drank coffee, thanked the woman, and went out again by the same way. As I closed the back door one or more shots were fired from inside. One of the fingers of my left hand was covered with blood.

We tried to enter the house again, but the door had been fastened on the inside. I fired a shot through the door, but I do not know whether I hit anybody.

Read over, approved, signed.

Signed: BÖRNER.

The witness was sworn.

Signed: SCHWEINITZ.

Signed: LIPS.

App. 17.

REPORT of Captain and Detachment Commander, 4th Infantry Munitions Column, and MILITARY COURT EXAMINATION of Acting-Sergeant-Major Kern, 3rd Infantry Munitions Column.

SIFFONE, *October 2nd, 1914.*

Report.

On the 22nd of August 1914, at midday, I arrived at the northern entrance of Marche with the 4th Infantry Munitions Column, which I commanded, and received orders to pass through the village to the southern exit. I rode with some mounted men through the place, the principal buildings of which had already been arranged and taken over as hospitals. There was also here some of our infantry. Several inhabitants, amongst them a priest, were standing in the street, apparently inoffensive.

As I returned through the village, somebody levelled a gun at me from the window on the first storey of a house in the neighbouring street. My assailant was, however, prevented from carrying out his purpose, thanks to the watchfulness of an infantry sentry, who anticipated the treacherous villager and frustrated his purpose by a shot from his own rifle. Hereupon a lively fusillade developed from all the houses, in which the village priest took part.

Signed: MICHAELLES, Captain and Detachment Commander.

SIFFONE, *October 5th, 1914.*

Present :

President of the Court, SCHWEINITZ.

Secretary, LIPS.

There appeared as witness Acting-Sergeant-Major Kern, who made the following statement :

As to Person: My name is Theodor Kern. I am 37 years old; Catholic; formerly mason; later frontier guard; at present Acting-Sergeant-Major of Landwehr in the 3rd Infantry Munitions Column.

As to Case: On August 22nd, 1914, about 2.30 p.m., I rode back through Marche, after I had previously ridden into the place to arrange for quarters. In front of me rode Captain Michahelles. As we passed a cross-road the Captain began to trot. At the same moment I saw at a first-storey window of a house in this cross-street a civilian, who was aiming with a gun at the soldiers, and in my judgment more especially at the Captain. Almost at the same instant came the crack of an infantryman's rifle, who fired up at the civilian.

On August 23rd, 1914, we were at Sorrinnes. During the day one noticed no signs of hostility among the inhabitants, but at 9 o'clock, when it had become dark, we were fired at from various houses. From one house Lieutenant Knauer received a shot in the abdomen, from which after some days he died.

Read over, approved, signed.

Signed: THEODOR KERN.

The witness was sworn.

Signed: SCHWEINITZ. Signed: LIPS.

App. 18.

REPORT of the Infantry Regiment von Winterfeldt (2nd Upper Silesian) No. 23 (24th Infantry Brigade).

October 4th, 1914.

Captain Wagner states: On 22nd August, at L glise, two civilians from Antier were handed over to the company, which was acting as escort to the heavy baggage. These had been caught with guns in their hands by two gendarmes. At this period the company was fired at by civilians on several occasions.

At Tintigny was discovered the body of a reservist of Infantry Regiment No. 38, who had been slain by the inhabitants with a mason's pickaxe. At Laheycourt a man of the 1st Battalion shot dead a civilian who had fired at the soldiers from a garden.

Captain von Debschitz states: At Nothomb, our first quarters in Belgium, after the General in command had issued a proclamation, the inhabitants immediately handed in a very large quantity of military rifles and ammunition,

which not long before had undoubtedly been distributed by the authorities for the purpose of a "franc-tireur" campaign. These were, as far as I knew, Menier rifles, recently oiled, with cartridges in cotton packing, labelled exactly as if they had just been received from a depot.

Lieutenant of Reserve Schmidt, Leader of the heavy baggage of the regiment, states: On the night of August 23rd-24th, while we were on our way from Habay to Neuve-Ansart, the heavy baggage was several times fired upon at Houdemont and Rulles. At Houdemont, inhabitants fired from windows and from behind walls; upon this, some houses were set on fire. In rear of Houdemont the heavy baggage passed through a defile. Here we noticed small lamp signals, and then suddenly a heavy fire was opened on the baggage from front, rear, and both flanks. Several bullets struck the woodwork of the waggons and the oat-sacks, one of which is still in our possession. One man was missing; two horses were wounded and had to be killed. In the same way at Rulles and in the rear of this village, the baggage was fired at from the front and on the right flank.

On August 24th the heavy baggage on the road from Ansart-Tintigny was again fired at from houses by francs-tireurs. In this way two convoy soldiers were shot dead. On the evening of the 25th August the baggage passed through the village of Villers devant Orval. Our men were there received in friendly fashion by the inhabitants, who distributed fruit and eatables among the soldiers. When darkness fell, and the baggage came to a long halt outside the village, shots were suddenly fired at them from the rear.

Signed: COUNT KELLER.

App. 19.

STATEMENT of Captain and Battery Commander Walter,
3rd Battalion of Foot Artillery Regiment von Dieskau
(Silesian) No. 6.

CONDÉ LES AUTRY, *September 25th, 1914.*

August 22nd, 1914.—During the advance through Ansart the troops, among them the 3rd Battalion of Foot Artillery Regiment No. 6, were fired at by the inhabitants from the houses. The village was by order set on fire. The same thing occurred at Tintigny; the village was already in flames, but in spite of this the population

fired from the burning houses upon the troops passing through.

August 23rd, 1914.—Near St. Vincent the observation post of the 8th Battery was fired upon by the inhabitants from the woods at the back. These persons had withdrawn to the woods, because their village was burnt down.

August 24th, 1914.—During our march through Jamoigne the battalion and the Light Munitions Column too were fired upon from the houses. Fire was also opened from the schoolhouse, which flew the Red Cross flag. The village was partially set on fire.

On August 25th, 1914, the 6th Battery, which was following the battalion in the evening alone, was fired on from the rear at Villers devant Orval, close to the French frontier, although the population had in the daytime behaved themselves in quite a friendly manner. The houses from which the shots had come were, by our leader's orders, set on fire.

Signed : WALTER.

App. 20.

MILITARY COURT EXAMINATION of Acting-Sergeant-Major of Reserve Ernst Wolff, Infantry Regiment No. 51.

LA MARC-AUX-BOERST, *September 23rd, 1914.*

There appeared as witness Acting-Sergeant-Major of Reserve Ernst Wolff, who made the following statement :

As to Person : My name is Ernst. I am 28 years old, of the Jewish faith.

As to Case : I am leader of the campaign baggage of the 2nd Battalion, Infantry Regiment No. 51. At noon on August 22nd, 1914, the campaign baggage under my command advanced through the Belgian village of Tintigny, through which our regiment had already ridden. From the market-place as far as the western exit we were assailed with a hot fire from the windows of a large number of houses. As we could hear from the whistling, our assailants were firing bullets. I noticed people at various windows with the usual Belgian caps on their heads, standing behind smoking rifle-barrels. As I had no effective troops at my disposal I endeavoured to pass through the village rapidly, but I allowed the drivers to dismount quickly for greater protection. From the western exit I brought the cartridge waggons forward to the firing line, while the field-kitchens, in order to keep them under shelter, were compelled once

more to pass through the village. In this way they were again exposed to the fire of civilians, and here too a field-kitchen was rendered useless by a bullet through the boiler.

At midday on August 23rd I rode through the village of St. Vincent as dispatch-rider. As I rode past a house which flew a Red Cross flag, I came under a vigorous fire from this house and others lying near it, and here again I was quite convinced the assailants were civilians. My horse received a bullet through its ear as well as a glancing shot. I myself was uninjured.

Read over, approved, signed.

Signed : ERNST WOLFF.

Signed : LASSMANN, 1st Lieutenant and Court Officer.

App. 21.

MILITARY COURT EXAMINATION of Captain of Reserve
Adolf Pachur, Field Artillery Regiment No. 6.

BINARVILLE, *September 25th*, 1914.

Court of Field Artillery Regiment No. 6.

Before the under-mentioned Court officer appeared as witness Captain of Reserve Adolf Pachur, Catholic, 40 years of age, unmarried. After being informed of the object of his examination and warned to speak the truth in his deposition, he made the following statement :

On August 22nd the Light Munitions Column, 1st detachment, Field Artillery Regiment No. 6, was fired upon by francs-tireurs on its march through Tintigny. As the village had a long time since been cleared of the enemy by our infantry, and our firing line already lay some 2 to 3 kilometres beyond the village, the firing in question could have come only from francs-tireurs.

The same position occurred on the 23rd of August at St. Vincent. When the Light Munitions Column were ordered to halt in the village they were several times, with brief intervals, under hot fire from houses, gardens, bushes, and trees. It was noticed that the first shots were principally on every occasion from one and the same house, and were followed by a general fusillade. One civilian escaping from a house was shot dead by the officers and men of the column. A sergeant-major of infantry who, with a detachment, had been given the duty of clearing the village of francs-tireurs subsequently established the fact that this man was armed with a revolver.

According to the reports I received, the men of the column were questioned about their leader, *i.e.* myself, by the proprietor of a café. This person treated our soldiers with extreme friendliness, but secured no information. Shortly afterwards I saw how we were being fired at from this very house which was pointed out to me.

Read over, approved, signed.

Signed: PACHUR.

The proceedings were as above stated.

Signed: BARON VON STEINAEKER, Lieutenant and Court Officer.

App. 22.

STATEMENT and MILITARY COURT EXAMINATION of Lieutenant of Reserve Felsmann of the Light Munitions Column, 1st detachment, Field Artillery Regiment No. 6.

LANÇON, *September 23rd, 1914.*

At Tintigny, on the evening of August 22nd, I received the order to proceed to the Artillery Munitions Column to replenish ammunition. On the way at Sainte Marie I had the horses of the ammunition waggon watered. In doing this I received help apparently of the most willing character from the occupants of the house from which the water was drawn. When the harness had been put on the horses again, the occupants of this very same house fired at the ammunition waggon and wounded one or more of the horses.

The Light Munitions Column of the 1st detachment, Field Artillery Regiment No. 6, on their advance through Tintigny on August 22nd and through St. Vincent on August 23rd, were heavily fired upon by the inhabitants of this place from the houses, and partly also from bushes and trees. At St. Vincent we shot dead a civilian who had fired at us with a revolver.

Signed: FELSMANN, Lieutenant of Reserve.

BINARVILLE, *September 25th, 1914.*

Court of Field Artillery Regiment No. 6.

Proceedings.

Before the under-mentioned officer of the Court appeared Lieutenant of Reserve Johannes Felsmann, Protestant, 31 years of age, married. After being informed of the object of his examination and warned to speak the truth in his deposition, he made the following statement :

I repeat the contents of the preceding statement of September 23rd, 1914, and regard it as correct in all its details.

Read over, approved, signed.

Signed: FELSMANN.

The proceedings were as above stated.

Signed: COUNT VON STEINAEKER, Lieutenant and Court Officer.

App. 23.

REPORT of the 2nd Battalion, Infantry Regiment No. 157
(78th Infantry Brigade).

1. On August 22nd, at Tintigny, the heavy baggage was fired upon by civilians from a house on which the Red Cross flag was flying. The house was surrounded, and a civilian who was jumping from one of the windows was shot dead. Witnesses of this incident are Lieutenant Groeger and Non-commissioned Officer Wollny of the 7th Company of the regiment.

2. On the evening of August 22nd, in the village of Rossignol, a corporal of the 5th Company was fired at from behind by a civilian with a shot-gun, and wounded.

3. At nightfall on August 23rd, Non-commissioned Officer Wilde of the 7th Company was dispatched with a detachment to Les Bulles to fetch straw for the bivouacs. On entering the village these men were fired at by the inhabitants. Orders were thereupon given to set fire to the place, and these were partially carried out.

4. Musketeer Adolf of the 7th Company discovered at Tintigny a musketeer of Regiment No. 38 tied to a fence with his skull split open. After considerable search our men discovered in the vicinity a bloodstained axe.

Signed: GUHR, Major and Battalion Commander.

App. 24.

REPORT of 3rd Battalion, Infantry Regiment No. 157.

Captain Rumland, Leader of the 11th Company, Infantry Regiment No. 157, declares:

When on August 22nd, 1914, I was attached to the heavy baggage, and this was compelled to halt a little way from Tintigny, I noticed a cart on which lay the body of the reservist Franke, 6th Company, Infantry Regiment No. 38.

The helmet was driven in, and in Franke's skull was a square hole, caused by the pickaxe which was lying near him. This axe was smeared with blood, and the point fitted exactly into the hole in the skull. Franke had been slain in this way. Some soldiers present in Tintigny had found Franke's dead body tied to a fence, and made a report of this.

We officers held a court-martial for the examination of some twenty persons who had buried the executed Belgian civilians by the roadside, in order to investigate more thoroughly the circumstances of Franke's death. The court was presided over by the president of the Court-Martial of the 12th Division. For this purpose we brought these people with us into a field; on the way one of the prisoners sprang over a bridge into a stream with a stony bed, and was killed instantly. Our investigation was fruitless. We could not determine who was the guilty man. In my belief Franke was slain by the man who leapt over the bridge. The people who buried the executed Belgians made use of a pickaxe which exactly resembled the one which was lying near the slaughtered soldier, Franke.

Signed: ENGELIEN, Captain and Battalion Leader.

App. 25.

MILITARY COURT EXAMINATION of Lieutenant von Lindeiner (otherwise von Wildau), Field Artillery Regiment No. 6.

Proceedings at BINARVILLE, *September 25th*, 1914.

Court of Field Artillery Regiment No. 6.

There appeared as witness Lieutenant von Lindeiner (otherwise von Wildau), Field Artillery Regiment No. 6, who, after he had been informed of the object of the examination, made the following statement:

As to Person: My Christian names are Hans Erdmann. I am 31 years old; Protestant.

As to Case: About August 20th of this year I was quartered with the Staff of my regiment at Thibesart, and was summoned to act as interpreter in the examination of a woodman called Bienveler, on whom concealed cartridges were discovered, although he had denied his possession of any. The soldiers who had fetched him brought some of the cartridges with them, and I ascertained that a portion of them had been opened and then again closed, a common

practice amongst foresters. From one of the cartridges which I opened the small shot had been drawn and pieces of lead, cut up small, loaded in their place. This loading had evidently taken place quite recently, because the rough edges of the bits of lead still looked bright and silvery. As I was informed, several of our patrols were on this and the preceding day fired at from the wood at Thibesart, amongst them that of Captain von Richthosen, Mounted Jäger Regiment No. 11, despite the fact that no enemy soldiers were in the neighbourhood.

In the fight at Rossignole Tintigny on the 22nd August I rode with Colonel von Zglinicki into the village of Tintigny. Near us marched a portion of Grenadier Regiment No. 11, and field-kitchens were standing on the road. From one of the first houses on the left of our line of march a woman, standing in the doorway, called out to me some words like these, "Est-ce que nous sommes sûrs, ici, Monsieur?" As I was just going to answer her, from this very same direction two shots passed just in front of and behind my body. At the same instant I saw on the first storey of this same house two men in civilian clothes who opened on the German troops a vigorous fire and had apparently fired the shots at me. My horse made a spring forward where, on the right, a side street joined the main one. From all the windows of this street I myself, like all the rest of our German soldiers who were blocked at this spot, came under a vigorous fire. None of the enemy troops were to be seen, but, on the other hand, civilians, firing from a number of windows. I am also convinced that I noticed a machine-gun served by civilians at the first-floor window of a house some twenty paces from myself. I observed with my own eyes that a considerable number of our soldiers were wounded by this fire. We were obviously dealing here with a concerted co-operation of the inhabitants, for it was after the two first shots that a simultaneous fusillade broke out throughout the village.

I was then sent back, and on the way came again under fire from the houses of the next village which lay beside the road, running from north to south. This village, Ansart or Marinsart, lay to the north. I got some men of the Light Munitions Column (Field Artillery Regiment No. 42) to break down the fastened doors, and discovered in the house from which the shots had come six or eight civilians, none of whom were soldiers or women.

About an hour afterwards I received orders to lead the

2nd detachment, Field Artillery Regiment No. 6, on the north side of the road leading to east and west, past the same village to a position to the west of the village. I asked for and received an infantry escort of the Rode Company, Grenadier Regiment No. 10. In carrying out our orders we were here exposed to a continuous fire, despite the fact that no French or Belgian soldiers were to be found in the village. In detail I made the following accurate observations :

In several places beds were lying in the gardens, and from behind these beds, which were evidently placed there as a protection, fire was opened upon us.

At another place three persons in women's clothes advanced towards us and then disappeared behind a bush. I had time to call out, "Don't shoot; they are women." At the same instant we were fired at from this bush also.

At the end of the village two or three cows came into a garden towards us, and at once two shots were fired at us from the direction of the cows. We then saw that, sheltering behind a cow, a man had also approached and fired at us. This man was shot dead by one of our infantrymen.

Read over, approved, signed.

Signed: LINDEINER (otherwise VON WILDAU).

Signed: VON BUTTLAR, 1st Lieutenant and
Regimental Adjutant.

Signed: VON ZGLINICKI, President of the Court.

App. 26.

REPORT of 10th Company, Infantry Regiment No. 10.

BINARVILLE, *September 24th, 1914.*

There appeared as witness Fusilier Helmyss, and made the following statement :

After the fight of August 22nd, 1914, I passed with some comrades through St. Vincent. We were fired upon by civilians, and thereupon forced our way into a house. We here found on tables and window-sills a great deal of sporting ammunition, consisting of discharged cartridge cases and loaded cartridges.

Read over, approved, signed.

Signed: GOTTFRIED HELMYSS.

Signed: TRAUER, Lieutenant and Company
Leader.

There appeared as witness the reservist Stellmacher, who made the following statement :

At Thibesart I was sent into the village to fetch a pail of water. I there entered a house and found several large pails full of leaden bullets. I thereupon made a closer search with some of my comrades. We found in this spot a large quantity of sporting ammunition, and behind a wardrobe several sporting-guns hidden away. On the floor lay strewn about discharged cartridge cases.

Read over, approved, signed.

Signed : AUGUST STELLMACHER.

Signed : TRAUÉ, Lieutenant and Company Leader.

App. 27.

STATEMENT of Captain von Rode, Grenadier Regiment No. 10.

BINARVILLE, *September 25th, 1914.*

There appeared as witness Captain von Rode, 1st Battalion, Grenadier Regiment No. 10, who made the following statement :

On August 22nd, in the fight at Tintigny, the 1st Company of Grenadier Regiment No. 10 was acting as escort for artillery near Ansart. When the artillery was pushed forward a hot fire was opened on the infantry men by the civilians of the place.

Lieutenant von Lindeiner, Foot Artillery Regiment No. 6, requested the company to proceed with the battery through the village as they could not pass through it without the protection of an infantry escort. The company was likewise met by shots the moment it entered the place. The firing was especially violent from the mill, which was occupied by some thirty men, with women and children. A number of persons, before the company arrived on the scene, ran off through the bushes, carrying guns with them. Guns that were discovered were of quite recent manufacture from Liège. While the company was clearing the mill it was suddenly fired at from the cellar windows and roof windows of the big white house which lay obliquely opposite. A portion of the shots struck the artillery equipment. Two small detachments, which at once stormed the house, shot down three civilians armed with guns, who were trying to escape from the back

through the garden. Their guns were new, and came from Liège.

Read over, approved, signed.

Signed: VON RODE.

The proceedings were as above described.

Signed: KRUPPE, Lieutenant and Adjutant, 1st
Battalion, Grenadier Regiment
No. 10.

App. 28.

REPORT of 3rd Upper Silesian Infantry Regiment No. 62
(78th Infantry Brigade).

1. Major Schwerb of the 3rd Battalion, Infantry Regiment No. 62, states:

On August 23rd, after I had placed the wounded Lieutenant Rocholl on a waggon in order to convey him to a Medical Corps Company, at least twenty shots were fired at him and myself. The house from which the shots issued was thereupon to a large extent destroyed by the fire of a battery which happened to be passing through the village. On the same evening the battalion, which was marching through Frenois in the dark, was fired upon, again obviously by inhabitants, from roof windows and trees.

2. Captain Rothe of the 9th Company of the regiment states:

On August 23rd civilians opened fire on the water-carriers of the 9th Company from the village of Rossignol, which was already occupied by German troops. The leader of the water-carriers was Sergeant Flashar. In consequence, the civilians were taken prisoners by the men of Infantry Regiment No. 157. On August 23rd Cyclist Heinrich was similarly fired at by civilians in the village of Les Bulles, after a considerable force of German troops had already marched through the place.

3. Lieutenant Stuth of the 11th Company states:

On August 23rd, when the 3rd Battalion had withdrawn from Les Bulles, I led the 12th Company to Frenois. We halted in the village street to wait for the other companies, which I fetched up by orders of Major Schwerk, as Adjutant-Lieutenant Rocholl had been severely wounded. In the meantime, the company was suddenly and unexpectedly assailed by shots fired from the windows by inhabitants.

Further, as I was riding along through the village, one

of the inhabitants called me to him, but I rode on at a gallop, and was fired at from behind.

Signed : v. POSER.

App. 29.

REPORT of Field Artillery Regiment No. 21 (12th Field Artillery Brigade).

NAUROY, *October 15th, 1914.*

Captain Blumenthal, Commander of the Light Munitions Column (2nd Division), reports :

On August 24th, during the advance, the column halted at Jamoigne for a considerable time, to water the horses. A number of the inhabitants who still remained in the village were standing in front of the doors and behaved in a friendly manner. Water, coffee, and tobacco were offered to some of the officers and men. While the watering of the horses was going on, two shots came from a house in front of which a short time previously an elderly man and a woman had been sitting. The shots were apparently fired at the two officers who were standing close to the house, Lieutenants Kloass and Luozny. These two shots gave the signal for a general fusillade from the skylights and windows of the houses. While the pioneers, who had been attached on the march for escort, forced their way into the houses, the column was pushed forward in order to make room in the village, which had been at once set on fire, for the other column marching behind it. One man of the column and two horses were wounded.

Signed : WARNEKE.

App. 30.

REPORT of Medical Corps Company No. 1, VI. Army Corps (11th Infantry Division).

BIVOUAC AT LANÇON, *September 24th, 1914.*

On August 24th, during the advance of the Army Corps through Jamoigne, the Medical Corps Company received the order to take charge of the German and French wounded, who had been conveyed into a hospital and a convent. On entering the hospital the senior Surgeon and Commander were received by a Belgian civilian doctor. He declared that he had only been able to afford the wounded poor attention, because he lacked medical *personnel*, bandages,

and provisions. Questions addressed to the Germans in hospital revealed the fact that the wounded had not been attended to by the local doctor for three days. When our senior Surgeon remarked that in practice splints ought to have been used for the wound of one of the patients, the doctor replied that he possessed no material of this kind. The non-commissioned officer accompanying the senior Surgeon opened a wardrobe and found splints inside.

The German wounded, among them the adjutant of the 1st mounted detachment Field Artillery Regiment No. 11, declared they had had little to eat. The Sisters in the convent alleged that they possessed only a meagre quantity of provisions; at the same time they informed us that women and children had been collected into the cellar after their flight from the village. These statements of theirs did not arouse any feelings whatever of distrust. After the whole of the wounded, and, at the request of the Sisters, also a few poor old folk in the village had been fed from our field-kitchen, and medical treatment of the wounded was still taking place, shots were fired at the stretcher-bearers halted in the convent garden from the tower of the convent, a thicket in the convent garden, and the roof windows of the hospital some 500 metres away.

Meanwhile a detachment of stretcher-bearers proceeded to the convent with the special order to search it thoroughly from the cellar to the attics and tower. The firing here at once ceased. In the search of the convent there were found in the cellar not only children and women, but also men, and, beside these, a particularly large quantity of eggs—three kegs holding 750 each.

Another detachment advanced towards the thicket in the convent gardens lying close by the convent. Here two elderly men were discovered standing up to their waists in a stream which flowed through the thicket. Both these men had guns which they threw into the water the instant they were caught by the detachment; the pair of them were shot outside the convent precincts.

For protection against the firing from the hospital on the other side of the principal street of the village, the Medical Corps Company went into a narrow court belonging to the convent. While this was in progress, shots were fired also from the roof windows of the houses lying opposite the convent garden and near the hospital. This fire was diverted from the Medical Corps Company by the passage through the village of a munitions column.

The Medical Corps Company quitted Jamoigne and bivouacked outside the village, taking with it the German wounded and the lightly wounded French who might still be able to bear arms. The two priests and the doctor of the village, as well as all the male inhabitants found in the cellar of the convent, were carried off to the bivouac for greater security.

With the exception of the convent and the hospital, the houses from which shots had been fired were burned to the ground. During the conflagration a great many explosions occurred. It may be assumed that in the course of the fire quantities of ammunition exploded, which had been stored in the houses.

Signed : BRETTNER, Captain and Column Commander.

App. 31.

REPORT of Captain LARRASS, commanding 9th Foot Artillery Munitions Column, and of 1st Lieutenant Reichel, commanding 5th Artillery Munitions Column; also the MILITARY COURT EXAMINATION of Lieutenant-Colonel Hübner and Sergeant-Major Peschke.

EASTERN CAMP, SIFFONE, *October 2nd, 1914.*

9th Foot Artillery Munitions Column.

Report.

On August 23rd, 1914, the 9th Foot Artillery Munitions Column was bivouacked at Sorrinnes in Belgium at 7.30 p.m. As it was becoming dark the inhabitants of the village, whose behaviour had been extremely quiet the whole afternoon, treacherously and maliciously opened fire on the bivouac. In accordance with my orders, during the afternoon a young man was seized in a house in which an old man of seventy, alleged to be at the point of death, was lying on a bed. This was done because suspicious noises were audible in the house. In the evening the column was fired at, and more particularly from this house. In the course of this attack of the inhabitants upon the column, not only small shot was fired, but also bullets, which exploded on impact.

Signed : LARRASS, Captain and Commander of the 9th Foot Artillery Munitions Column.

SIFFONE, *November 1st, 1914.*

5th Artillery Munitions Column, XII. Army Corps.

On the afternoon of August 23rd, 1914, the 5th Artillery Munitions Column occupied a bivouac at the western exit from Sorrinnes. Throughout the day no villagers showed themselves; on the contrary, the village appeared to be completely abandoned. At nightfall, about 9 p.m., the entire column, bivouacked near Sorrinnes, was from all sides suddenly fired upon by the inhabitants from the houses or from the roof windows and from hedges.

Signed: REICHEL, 1st Lieutenant and Column Commander.

BERRIEUX, *October 5th, 1914.*

Present :

President of the Court, SCHWEINITZ.

Secretary of the Court, LIPS.

Lieutenant-Colonel Hübner as witness made the following statement :

As to Person : My name is Max Friedrich Hübner. I am 60 years of age; Protestant; Lieutenant-Colonel (Active List) and Commander of the 1st Munitions Column Division, XII. Army Corps.

As to Case : On August 22nd, 1914, in command of the munitions column detachment of the 1st Foot Artillery Regiment No. 9, I arrived with my staff at our quarters at Yschippe in Belgium. We numbered about 18 men and 14 horses. Beside ourselves, Munitions Column No. 5 was bivouacked to the south of the village, while Column No. 6 at the other end had been actually brought inside the village. The staff was quartered apart from the other troops in the neighbourhood of the church in two adjacent buildings. The occupants of these houses, both men and women, met me in a very friendly spirit.

At nine o'clock I lay down to sleep in my room on the first floor. At 11.30 I was awakened by a noise in the house, and my non-commissioned officer informed me that shots had been fired. As I myself had heard nothing, I did not believe the story, and returned to bed. Scarcely had I extinguished the light when a gun was fired, and the shot struck against the window-panes. I then alarmed all the men, and ordered the unharnessed waggon to be pushed crossways over the street, and the Mayor and six inhabitants to be brought

to me as hostages, and tied together one pace apart from each other. I informed these persons that they would be placed in a line across the street if a single other shot was fired. The wives of the hostages took care that this statement of mine was made known throughout the place. After this, no more shooting occurred, and next day I left the village without further molestation.

Read over, approved, signed.

Signed : HÜBNER.

The witness was then sworn.

SIFFONE, *October 5th, 1914.*

Present :

President of the Court, SCHWEINITZ.

Secretary of the Court, LIPS.

There appeared as witness Sergeant-Major Peschke, who made the following statement :

As to Person : My name is Karl Friedrich August Peschke. I am 33 years old ; Protestant ; a merchant of table-glass ; at present Sergeant-Major of the 6th (Foot) Artillery Munitions Column.

As to Case : From the 22nd-23rd August 1914 we lay at Yschippe ; our waggons had been driven to the western exit of the place. I had myself at first found quarters in the village, and found my hosts there apparently friendly. But after I had learnt that already on the preceding day shooting had taken place, I determined to pass the night in bivouac. There we came under fire about 11.45 p.m. from the direction of Corbion, at a distance of some 500-600 metres to the west of us. I at once ordered the watch to seek shelter and reply vigorously to the fire, which then in a short time ceased. After about a quarter of an hour the firing recommenced, and, indeed, more actively than before. When I myself with four men advanced towards our assailants they fled in the direction of Corbion. When we reached the hedge from behind which firing had taken place our assailants were already from 100-200 metres away. I recognised unmistakably that these persons were civilians, and not soldiers.

Read over, approved, signed.

Signed : PESCHKE.

The witness was sworn.

Signed : SCHWEINITZ.

Signed : LIPS.

App. 32.

REPORT of Senior Staff-Surgeon Kaiser, Surgeon-in-Chief,
Field Hospital No. 2, XII. Army Corps.

AMIFONTAINE, *October 3rd, 1914.*

Field Hospital No. 2 of the XII. Army Corps, posted at Sorinnes was, on the evening of the following day, between 7 and 8 o'clock, fired upon by armed inhabitants from the park of the castle. The shots came from the thicket immediately behind the castle courtyard. The fire was aimed at the *personnel* of the hospital, who were engaged in cooking in a large house next to the park. As I myself, with hospital inspector Voigt, entered the park in order to see after the cooking, we were fired at.

Signed: Dr. KAISER, Senior Staff-Surgeon and
Surgeon-in-Chief.

App. 33.

REPORT of Senior Staff-Surgeon Esche, Field Hospital 7,
No. 73, X. Army Corps.

On August 24th, towards 6 p.m., a column on the march was at Biesme fired upon by inhabitants from the houses of the village. A detachment of some 50 men of Infantry Regiment No. 164, which was guarding 216 prisoners in the castle garden in which the Field Hospital No. 7 was posted, moved out in order to restore quiet, while for the time being lightly wounded men undertook the guarding of the prisoners. Sergeant Kortebein and two drivers of Field Hospital No. 7, Schmidt and Dietrich, saw shots fired from two of the houses.

According to the statement of the lady occupying the castle of Gougny, in which the medical officers and officials of the field hospital were quartered, the *Conseiller provincial* at Gougny, Adelin Piret, had distributed to the inhabitants the weapons stored up at the Mairie. Shots were fired from the village at a column marching through it.

Signed: ESCHÉ, Senior Staff-Surgeon and
Surgeon-in-Chief.

App. 34.

REPORT of 1st Lieutenant Balterman, commanding Military Pack Column No. 6, X. Army Corps, 1st Train Division of the X. Army Corps.

On August 23rd, 1914, at Le Roux, Military Park Column No. 6 of the X. Army Corps was fired at several times from a house. The assailants escaped. On August 24th the column was fired upon at Biesme from the flanks and the rear. Moreover, a side street was closed against us by some twelve armed civilians. These armed civilians were shot and several houses burnt down.

On August 24th the column was exposed to a very hot fire at Lanesse and Somzée. A number of civilians were shot and several houses burnt down.

Signed: BATTERMANN, 1st Lieutenant and Column Commander.

App. 35.

MILITARY COURT EXAMINATION of Lieutenant Henry Müller attached to the Telephone Section of the XII. Army Corps.

GUIGNICOURT, *October 9th, 1914.*

Present :

President of the Court, SCHWEINITZ.
Secretary, LIPS.

There appeared as witness Lieutenant of Reserve Müller, and was examined as follows :

As to Person: My name is Johannes Henry Müller. I am a student of physics; 28 years of age; Protestant; Lieutenant of Reserve attached to the Telephone Section of the XII. Army Corps.

As to Case: The following statement, dated October 7th, was read over to the witness :

On August 22nd there was an interruption in the telephone connection to Conneaux. Corporal Lorenze and another cyclist were dispatched on bicycles to remove the cause of this interruption. The two cyclists were fired upon at close quarters in front of a wood. The search of the farm, carried out by Lieutenant Müller (Telephone Section XII.), with a platoon of infantry, proved to be without result. According to the unanimous reports of soldiers, who were met on the way, a number of civilians

came out of the wood immediately after the shots had been fired. A further search was set on foot, and the telephone cable was found to be cut right through at the place where the shots had been fired.

The witness thereupon made the following statement :

I am the Lieutenant Müller mentioned above. I was quartered in the castle of Conneaux ; the little wood lay about 400 metres away from the castle. After the shots had been fired, the cyclists at once returned to me. Within a few minutes of their arrival the pursuit could already be set on foot, because the platoon of infantry mentioned in my report was ready at hand for employment as an escort. Only for this reason is it possible to furnish a definite statement as to the time and place when the civilians were met in the road lying behind.

The men who fired had only one covered line of retreat, *i.e.* a road not under our observation, which I afterwards used in my pursuit. All the soldiers whom I met on this road gave a nearly unanimous description of some eight or ten civilians whom they had seen quickly running away. The approach of nightfall prevented their capture.

Read over, approved, signed.

Signed: JOHANNES HENRY MÜLLER, Lieutenant
of Reserve.

The witness was sworn.

Signed: SCHWEINITZ. Signed: LIPS.

App. 36.

MILITARY COURT EXAMINATION of Sergeant Ebers, 3rd
Guard Field Artillery Regiment.

BERLIN, *November 12th, 1914.*

Proceedings held at the barracks of the 3rd Guard Field
Artillery Regiment.

There appeared after citation Sergeant of Landwehr II. Georg Ebers, office assistant in the chief office of the Great Berlin Tramways, at this time attached to the 4th Reserve Battery, 3rd Guard Field Artillery Regiment. The witness, being duly sworn on oath, made the following statement :

On August 23rd, 1914, when non-commissioned officer attached to the 5th Battery, 1st Guard Reserve Field Artillery Regiment, I was wounded in the neighbourhood of Namur. On the next day, August 24th, I was brought

to the 2nd Field Hospital, XI. Army Corps, which occupied the convent at Champion, near Namur. On the evening of this day, when everything was already quiet, there commenced at 10 o'clock a general fusillade. The window-panes were shot through, and we noticed the flash of the guns from the houses lying opposite. I myself in some ten cases saw civilians firing upon us from windows and skylights in three houses lying opposite to the wings of the convent. When the firing began, the soldiers of the medical corps and the lightly wounded, of whom I was one, assembled round the doctor in the corridor. We next looked for the convent Sisters, who had disappeared, and found them hidden in the cellar. We brought them into our midst and betook ourselves to the main entrance with the intention of making a sally. Meanwhile a Belgian and a French doctor, both of whom were prisoner-inmates of the hospital, advanced to the door and there addressed the population in the hope of quieting them. The firing thereupon diminished; but as we entered the street in order to search the village with the aid of men belonging to the munitions column encamped in the vicinity, the firing began afresh and continued till about 11 o'clock in the evening. At night, about 10, houses from which shots had come were set on fire. At daybreak we ascertained that the outside walls of the convent showed numerous marks of shot. Further, we found in a house occupied by a priest, lying opposite the chief entrance of the convent, about 40 cases of dynamite and some 30 cases of cartridges. I was present, and saw with my own eyes how our artillerymen ascertained the number and contents of the cases.

Read over, approved, signed.

Signed: GEORG EBERS.

Proceedings took place as above.

Signed: GURADZE, Lieutenant of Landwehr
Artillery II. and Officer of the
Court.

App. 37.

MILITARY COURT EXAMINATION of Acting-Sergeant-Major Schulze, Corporal Spans, and the Grenadiers Wenzel, Kachel, Pfeiffer, Wittstadt, and Wilhelmy, all of Infantry Regiment No. 93.

Proceedings in BERLIN, *September 18th, 1914.*

There appeared as witnesses Acting-Sergeant-Major

Schulze, 9th Company, Corporal Spans, 12th Company, the Grenadiers Wenzel, 5th, Kachel, 9th, Pfeiffer and Wittstadt, 12th, and Wilhelmy, 5th Company, Infantry Regiment No. 93, and made the following statements in the official deposition :

On August 24th, 1914, we were wounded inmates, together with Belgian and French wounded, of the Convent of Champion, which was arranged as a hospital. After the withdrawal of our troops, there remained on the evening of August 24th only a Light Munitions Column in the direct neighbourhood of the convent. No sentries were posted.

Towards 10 o'clock in the evening a hot fire was suddenly opened on the main entrance and windows of the convent. I, Acting-Sergeant-Major Schulze, was awaked by the shots, and proceeded to the main door, and there heard the whistle of bullets as they passed. I then returned to fetch my weapons. When I again reached the exit, the Light Munitions Column had already commenced operations. Previous to this, as Grenadiers Wilhelmy and Wenzel had heard, the Belgian doctor, who was also an inmate of the convent, had gone into the courtyard and addressed to the shooters concealed from view a demand that they should cease fire. As the doctor, however, re-entered the convent, the firing continued.

The Light Munitions Column now cleared the courtyard and its surroundings, captured several francs-tireurs, who were proved to have formed the firing-party, carried out a search of the neighbouring houses, made absolutely certain that the shots had come from these, and then, as punishment, set the houses on fire.

We may also observe that on August 25th a search of all the houses in the village was undertaken, in the course of which several cases of dynamite and ammunition were discovered in the house of the priest. The dynamite was rendered harmless by the artillerymen of the Light Munitions Column. The priest was left for two days under guard by the Light Munitions Column, and then once more set at liberty.

Read over, approved, signed.

Signed: SCHULZE, SPANS, WENZEL, KACHEL,
PFEIFFER, WITTSTADT, WIL-
HELMY.

The proceedings took place as above.

Signed: HILSMANN, Lieutenant and Adjutant,
Reserve Battalion, Reserve In-
fantry Regiment No. 93.

Acting-Sergeant-Major Schulze, together with Corporal Spans and the soldiers Kachel and Wittstadt, came before the Court after citation, and were to-day sworn to the preceding declaration.

BERLIN, *November 11th, 1914.*

Officer of the Court :

Signed : HILSMANN, Lieutenant and Adjutant.

Secretary of the Court :

Signed : JUMPERTS, Non-commissioned Officer of Landwehr.

App. 38.

STATEMENT of Major Heltzer, 18th Reserve Hussar Regiment and Leader of the Heavy Baggage, 32nd Infantry Division.

On the early afternoon of August 25th, 1914, the Heavy Baggage of the staff, 32nd Infantry Division, after a considerable halt at the S.W. exit of the village of Anthée, was in the act of getting ready to move off. Very suddenly a vigorous fire was opened upon it on several sides from houses and from a thicket in the vicinity.

All the men of the divisional baggage were equipped with rifles and sent ahead through the houses, in order to protect the waggons as they moved off. Later on, a detachment of infantry arrived on the scene, which occupied the village and relieved our men.

Of this infantry detachment half a platoon was assigned to act as escort of the Heavy Baggage.

2. When shortly afterwards the head of the baggage column reached the neighbouring village of Rosée, here, too, it was assailed by a vigorous fire from houses and gardens and from a neighbouring copse. I ordered a search to be made of a farm standing on the road from which an extremely hot fire had previously come. Inside were found a man, a woman, and two half-grown boys. The man and the woman were shot while attempting to escape.

No Belgian or French troops of any kind were present either in Anthée or Rosée.

The attacks on our troops were always made from ambush, and gave one the appearance of a general and concerted co-operation; they were usually preceded by a shot, fired as a signal.

Signed : HELTZER.

App. 39.

STATEMENT of 1st Lieutenant Stiemcke, commanding Military Train Column 7, X. Army Corps, attached to Train Section 1, X. Army Corps.

On August 26th, 1914, when the column, in conjunction with the 2nd Echelon, approached the village of Silenrieux, it was immediately fired upon by members of the civilian population from the church tower. It was therefore necessary for our riflemen to advance against the place. When these accordingly replied to the fire, shooting took place from a number of houses in the village.

Signed: STIEMCKE, 1st Lieutenant and Column Commander.

App. 40.

STATEMENT of 1st Lieutenant Schumann, commanding Military Train Column No. 4, X. Army Corps, attached to Train Division No. 1, X. Army Corps.

On the night of 21st-22nd August, 1914, the Military Train Columns Nos. 1 and 4 bivouacked in front of Fleurus. A soldier standing at his post was dangerously wounded in his ear by a shot fired by a civilian, who had crept up under cover of a straw stack. The civilian escaped in the darkness.

On August 26th, 1914, the column proceeded on its march to Verguies through the village of Silenrieux. The inhabitants met our troops on the march in a kindly and well-disposed manner. At the exit of the village towards Verguies the column was forced to halt for some time. At this point the officers of the column, which was halting in front of the church, noticed that the church roof was partially uncovered on the side next to the street. The village itself did not show any signs of damage in the case of the houses lying on the other main street. When the advance of the column was resumed, the last section, as it passed the church and the houses lying near it, was suddenly fired upon. To meet this surprise attack the riflemen of the column were deployed and opened fire upon the church and the houses from which the shots had come.

As at least 30 to 40 shots were fired from the church tower, it is impossible that this could have happened with-

out the knowledge of the priest. The surprise attack gave one the impression of having been thoroughly prepared in advance.

Signed: SCHUMANN, 1st Lieutenant and Commander.

App. 41.

STATEMENT of Lieutenant Deule, Telephone Section, X. Army Corps.

On August 22nd I, with my platoon of the Telephone Section, X. Army Corps, was marching from Tongrinne to the Château of Quiltremont *via* Tamines. Towards 5 p.m. I found myself with my platoon on the street of Vignées at Tamines at the spot where, on the right side of our line of march, a long stretch of the street is skirted by a manufactory. At this point my platoon, which was marching alone, was suddenly assailed by a hot, but badly aimed, fire from the church and from a large building lying off the road to the left, and easily recognised by its Red Cross flags. I at once ordered my platoon to take up a position under cover, and then dispatched flanking patrols on the right and left against the buildings indicated above. In the vicinity of my men we ascertained for certain that a considerable number of armed civilians had retired in hasty flight into a wood behind the buildings, so that it was impossible for us to open an effective fire on those persons. My official duties prevented me from undertaking the pursuit; nevertheless, I had a brief account of these incidents written with chalk on the big gates of a factory in this place to serve as a warning to any detachments of German troops who might follow us.

Signed: DEULE, Lieutenant.

App. 42.

STATEMENT of Acting-Sergeant-Major and Officer-Substitute Mackemehl, 4th Battery, Field Artillery Regiment No. 4.

On the afternoon of August 26th we halted with the "heavy baggage" (we had also with us the baggage of Infantry Regiments Nos. 177 and 178 and of Field Artillery Regiment No. 28) at Convin, north of Nacroi. The infantry baggage behind us was fired upon from a house on

the right of our line of march. On searching the house, we found that the only inmates were three civilians, who were in possession of weapons and cartridges.

Signed: MACKEMEHL.

App. 43.

STATEMENT of Lieutenant Huck, commanding Horse Depot No. 2, X. Army Corps (2nd Train Detachment No. 10, X. Army Corps).

On August 24th, 1914, at 8.30 p.m. I entered Acoz with my Horse Depot No. 2. I then with the unmounted men and non-commissioned officers endeavoured to secure stabling for the horses. I came across only a very few people; these were extremely friendly, and offered me milk without payment and water for washing. The only exception was the village priest. The large size of his house and courtyard rendered them in my opinion very suitable as quarters for men and horses. He received me very curtly, showed me the Red Cross brassard on his arm—this had no official stamp—and declared that he had no room for me. His behaviour and manner displeased me, and at once rendered me suspicious. Most of the houses appeared to be abandoned, and were shut up: so I saw it was necessary to break down the doors and find suitable accommodation. When I had brought most of my horses under shelter, and only a few were still standing in the street, a heavy fire was suddenly opened upon us from the windows and houses. I saw the flashes of the rifles coming from the upper windows of almost every house in the street in which I myself was standing. My sergeant-major and I heard quite clearly the whistling of bullets round our heads. I ordered my troops to reply to the fire, which on the side of the assailants died out after about three-quarters of an hour. I directed the especial attention of some of my men to the priest's house. They accordingly forced their way in and found the priest and, further, two other men hidden in the loft. According to the soldiers' statements, these persons had also weapons in their possession. They were handcuffed and handed over to the munitions column, whose men had joined in the fighting and advanced against the house. I was told that the priest and the two other men were shot

next day. On more careful search cartridges, both discharged and loaded, were found on their persons.

Signed: HUCK, Lieutenant and Commander,
Horse Depot 2, X. Army Corps.

App. 44.

STATEMENT of Captain Lüdke, commanding 2nd Train
Detachment, X. Army Corps.

On August 24th, 1914, the 2nd Echelon of Trains had assigned to it for quarters the villages of Acoz and Joncret. The staff of the 2nd Train Section, X. Army Corps, and Horse Depot No. 2, occupied quarters in Acoz. On our arrival at Acoz at 8.30 p.m. there was scarcely a villager to be seen in the street. The doors and windows of the houses were shut. After the horses had been brought into a barn opposite the church, the three staff officers took up their quarters in the empty and open house of the doctor, which was also opposite the church, but on the other side of the square. The men of the Horse Depot were still engaged in bringing their horses into the side street. When we officers had been in the house about half an hour, a hot fire was, as if by word of command, opened upon the doctor's house in which we were quartered and on the Horse Depot. The shots came from all the windows of the houses which lay opposite, and from those of the side street, in which a part of the Horse Depot had already taken up their quarters, though some were yet in the street. At this moment an artillery munitions column marched through Acoz past the square near the church. These troops were in the same way assailed by the fire of the inhabitants. In conjunction with the men of the Horse Depot and this munitions column we advanced against the houses from which shots were still being fired. At last the firing ceased. All the front doors were shut, and had to be burst open; all the back doors which led into gardens or the open fields stood open. When the houses were searched there were found in the priest's house the priest himself and two men, whom he had hidden in the loft, with cartridges in their possession. The priest and these two men were taken off by the munitions column, which continued its march. The houses from which shots had come were set on fire. The staff of the 2nd Train Section and Horse Depot No. 2 occupied quarters in Serpinnes. Next day I dispatched Non-commissioned Officer Trapp and

Corporal Bölhof from the staff of the 2nd Train Section to Joncret with orders. At Acoz, which they passed on the way, they were informed by several non-commissioned officers and men of the artillery munitions column and by an artillery non-commissioned officer, that in the town hall, which lies near the doctor's house, several cases of dynamite had been discovered and some hundreds of guns and cartridges in packets. Each packet bore a label with the name of the townsman to whom they were assigned. The artillery munitions column took possession of these objects.

Signed: LÜDKE, Major and Commander, 2nd Train Section, X. Army Corps.

App. 45.

MILITARY COURT EXAMINATION of 1st Lieutenant Müller, Lieutenant Schröder, and Gunner Huisman, all of the 5th Artillery Munitions Column, X. Army Corps.

Present :

Lieutenant MAACK, Officer of the Court.

Non-commissioned Officer, SCHÜTTE, Secretary.

AVAUX, *November 20th, 1914.*

With respect to the incidents which occurred during the surprise attack at Acoz, the under-mentioned witnesses, after the importance and sanctity of the oath had been pointed out, were examined as follows :

1. 1st Lieutenant Müller.

As to Person: My name is Richard Müller. I am 36 years of age; Protestant; brewery director in Hanover; 1st Lieutenant and Leader of the 5th Artillery Munitions Column, X. Army Corps.

As to Case: Towards 10 p.m. on August 24th, 1914, I was marching with my column through the village of Acoz. I allowed my men to dismount here, because in front of me the 3rd Foot Artillery Munitions Column, X. Army Corps, were watering their horses. At the moment when I gave my men the order to mount again, the column was assailed by a vigorous fire from the houses of the village. In my opinion some 30 to 40 shots were fired at once. They were firing from shot-guns, for I could hear from the sound of these shots that they were using small shot. As a number of horses fell headlong, and various men were also wounded, I endeavoured for the moment to get the column

again on the march. Meanwhile, with a detachment of about twenty men, who had come to help from the neighbourhood of the wireless station, I had the village searched.

During the search of the village three persons were seized who had been found in the priest's house, two of them indeed hidden in the loft. In examining these persons I found on one of them called Boucher, or some name like this, four discharged cartridges. According to the reports of the soldiers, the priest, who was found amongst the captured men, strenuously denied that any people were with him in the house; he had also by gestures offered the search-party money and drink to keep them back from searching his house. He had also for the moment refused them entrance into his house by pointing to a red cross which he carried on his arm. None of these three persons denied their participation in the attack. Some hours later there was found on the priest an invoice for the receipt of an English revolver. These men were subsequently shot.

It is altogether out of the question that the surprise attack could have been brought about by uniformed troops. The Belgian-French army had already retired a long way, and the village of Acoz had already been for several days in German occupation.

Read over, approved, signed.

Signed: MÜLLER.

The witness was sworn.

2. Lieutenant Schröder.

As to Person: My name is Georg Schröder. I am 34 years old; Protestant; Lieutenant of Reserve, 5th Artillery Munitions Column, X. Army Corps; farmer in Nordermon, Administrative District of Elsfleth.

As to Case: On August 24th I followed with the supplementary platoon of the 5th Artillery Munitions Column about an hour's distance on the road to Serpinnes. The moment I arrived before the village of Acoz my platoon was fired upon from the houses and from the high ground. At Acoz, which meanwhile had been set on fire, I got into contact with the column. I learnt that they had been fired at, and that the village had been set on fire after the perpetrators of the attack were found to be civilians. Three persons were arrested—the parish priest and two others called Bastin and Boucher. Since the leader of the column, 1st Lieutenant Müller, had been wounded through a fall, I did not know whether he had examined these persons,

and so examined them myself for our better security. The three prisoners gave only unintelligible replies to my questions. I accordingly examined the soldiers who had taken part in the affair. I ascertained that Bastin and Boucher had been found hidden in the loft, where weapons and discharged cartridges had also been discovered. As regards the priest, it was reported to me that he had offered wine and money to the soldiers as they were forcing their way in, to deter them from searching his house. On the following morning there was found on the priest a receipt with reference to a revolver and 50 cartridges which had been assigned to a *garde champêtre*, or, through his agency, to someone else. I had ordered a soldier to search all three men, and personally discovered the paper in question in the purse which was taken from the priest.

Read over, approved, signed.

Signed: GEORG SCHRÖDER.

The witness was sworn.

Concluded.

Signed: MAACK, Lieutenant.

Signed: SCHÜTTE, Non-commissioned Officer.

App. 46.

MILITARY COURT EXAMINATION of Captain von Guaita, Uhlán Westphal, and Sergeant Hammermeister, all of Reserve Uhlán Regiment No. 2.

BAZANCOURT, *November 22nd, 1914.*

Court of the 2nd Guard Reserve Division.

Present:

President of the Court, Dr. BERNHOLD.

Secretary, GUNTOWSKY.

There appeared before the Court the under-mentioned witnesses, who, after the importance and sanctity of the oath had been pointed out to them, made the following statement:

1. Captain von Guaita, Reserve Uhlán Regiment No. 2.

As to Person: My name is Leon. I am 36 years old; Protestant.

As to Case: On August 22nd, 1914, I rode in company with Lieutenant Feierabend, Dragoon Regiment No. 1, at the head of a troop of cavalry consisting of some twenty-five Uhlans. Our orders were to reconnoitre the bridge at Monceau sur Sambre. In the middle of the town of Monceau

sur Sambre, while we were both halted in the Rue Neuve, we were suddenly assailed by a hot fire. Shots were fired at us from all the windows of the houses and from cellar gratings. As our men were falling around me I rode forward and reached a side street. One man had been killed, four wounded, and six horses were dead; Lieutenant Feierabend received a shot through the leg. I was unwounded, but my map, which I held in my left hand, was pierced by two pellets. This is a convincing proof of the fact that a sporting-gun was used to fire at me. I am convinced that fire was opened upon us at a prearranged signal.

Read over, approved, signed.

Signed: VON GUAITA.

The witness was sworn.

2. Sergeant Hammermeister, Reserve Uhlan Regiment No. 2.

As to Person: My name is Hermann. I am 23 years old; Protestant.

As to Case: On August 22nd of this year I was one of the patrol led by 1st Lieutenant von Guaita. Our orders were to reconnoitre the bridge over the Sambre. When we were in the middle of a street in Monceau sur Sambre we were fired at on our front. My impression was that two volleys were fired from the quarter in front of us. This was clearly the signal for the fire now directed upon us from the houses. Shots came from doors, windows, and cellar openings. I saw a civilian standing in a doorway and firing at us with a revolver. I saw no soldiers.

Read over, approved, signed.

Signed: HAMMERMEISTER.

The witness was sworn.

3. Uhlan Westphal, Reserve Uhlan Regiment No. 2.

As to Person: My name is Wilhelm Westphal. I am 26 years old; Protestant.

As to Case: When the Reserve Uhlan Regiment No. 2 passed through Monceau sur Sambre I was acting as cyclist in front of it. In the main street I immediately came under fire from a house at the moment when I wanted to ride back in order to report to the regiment that the patrol under 1st Lieutenant von Guaita had been assailed by a hot fire. With some men of the Reserve Infantry Regiment No. 15 I forced a way into the house from which the

shots had come, and there saw on the stairs a civilian with a gun in his hand. We at once shot this man.

Read over, approved, signed.

Signed: WILH. WESTPHAL.

The witness was sworn.

The above is a true account of the proceedings.

Signed: DR. BERNHOLD.

Signed: GUNTOWSKY.

App. 47.

MILITARY COURT EXAMINATION of Captain Caspari, Infantry Regiment No. 75.

Present:

President of the Court, Lieutenant STÜRENBERG-JUNG.

Secretary, Acting-Sergeant-Major BANNEHR.

There appeared as witness Captain Caspari, who was examined as follows:

When the head of the 3rd Company, Infantry Regiment No. 75, to which I belonged, approached Hougaerde, it was met by a person from the small town in priest's clothing. He greeted me and declared that there were no more Belgian troops in the place, and that the feelings of the inhabitants were quite friendly towards us; further, that we had no reason to fear any surprise attack from them. My request that he should act as our guide through Hougaerde was obviously distasteful to this person; nevertheless, he undertook to lead us.

During our march into the village the street was quite empty, the window-shutters and doors closed, and the window-apertures of a new house on the right were covered with sacking. Just before we reached a bend in the street, some 100 to 200 metres behind the railway crossing, the priest sprang into a doorway. A man at the head of the company, Musketeer Ernst Block, just managed to seize him by his coat-tails and dragged him back. At the bend we saw ourselves confronted by a street barricade at a distance of some 30 to 40 metres, and were at once met by simultaneous volleys of fire from the houses on all sides, and even from the rear. The priest was one of the first who was mortally wounded by shots from the houses. As I subsequently ascertained, the village had been systematically arranged for defence. Houses and walls

were furnished with concealed and barely visible loopholes, prepared beforehand by the population for a surprise attack by fire at a fixed spot. That civilians took part in this fighting I can personally guarantee, for I saw such persons escaping through the gardens with weapons in their hands. Moreover, several men were wounded by small shot.

Read over, approved, signed.

Signed: CASPARI.

The witness was sworn.

Signed: STÜRENBERG-JUNG.

Signed: BANNEHR, Lieutenant and President of the Court, Secretary.

App. 48.

REPORT of Captain Strauss, Grenadier Regiment No. 12
(3rd Infantry Division).

CONDÉ, *September 25th*, 1914.

On August 18th, after the retirement of the enemy, I rode through the village of Capellen with my company and heard shots being fired at my riflemen from a house behind me—from the house itself and from the garden. While the garden was being searched, the firing was renewed, and was replied to by my men. A woman, whose dead body was subsequently found in the garden, was a victim of this firing. The firing from the house continued, though from what part I could not determine. We found two men and some nine women and children, all unarmed. There were no soldiers in the house. I had the house set on fire, and, during the conflagration, cartridges exploded four or five times in the burning house.

After the decision of the regiment had been secured next morning the inhabitants in question were set at liberty, because they had not been found with weapons in their hands, nor had any such persons been discovered in searching the house.

The firing from the house and garden undoubtedly occurred.

Signed: STRAUSS, Captain and Company Leader.

App. 49.

MILITARY COURT EXAMINATION of Musketeer Peter Behle,
Infantry Regiment No. 16, Non-commissioned Officer

Otto Biernirth, Reserve Infantry Regiment No. 213, War Volunteer Willi Kandt, Reserve Infantry Regiment No. 201, War Volunteer Fritz Blum, Reserve Infantry Regiment No. 233, and War Volunteer Franz Breidbach, Reserve Infantry Regiment No. 235.

LENNEP, *November 17th, 1914.*

Königliches Amtsgericht.

Present :

Amtsgerichtsrat LANDSBERG, Judge.

Referendar WELTMAN, Secretary.

At the Red Cross hospital at Lennep the under-mentioned witnesses were met, who, after the importance of the oath had been pointed out to them, were examined as follows :

1. Peter Behle, 20 years of age, Catholic, foreman builder from Lennep, musketeer of the 6th Company, Infantry Regiment No. 16, after taking the oath, made the following statement :

In the middle of August, in a Belgian village called, I think, Tirlemont, a controlled fire was opened upon us in the dark by the civil population. No Belgian troops had been there for a long time. Shots were fired from, amongst other places, a fruit garden. My comrade, Franz Gockel from Wiesdorf, was fatally shot through the back of his head. The order was then given to collect the weapons in the houses, to secure the men, and bring the women and children into the church. In doing this we discovered unfinished revolvers, the wooden handles of which were still lacking. The houses, from which shots had come, were set on fire.

Read over, approved, signed.

Signed : PETER BEHLE.

2. Otto Biernirth, 34 years of age, Protestant, certificated business instructor of Bremenhaven, non-commissioned officer, Reserve Infantry Regiment No. 213, after taking the oath, made the following statement :

On October 20th we were in front of the village of Staden (Flanders). The whole night through we were fighting exclusively with francs-tireurs, who fired from the houses. In the morning we had to capture the town. However, some 400 to 500 metres from the town, a flanking fire came from a single house on the left, whereby our

comrade Fröse was struck by a ricochet bullet. From this house, which was seized, four francs-tireurs emerged.

Read over, approved, signed.

Signed : OTTO BIERNIRTH.

3. Willi Kandt, 31 years of age, Evangelical, merchant from Berlin, war volunteer, 2nd Company Reserve Infantry Regiment No. 201, after taking the oath, made the following statement :

On the march to Lessen we came under fire from two farms lying opposite. A reconnoitring company ascertained that the shots came from a barn. This was set on fire, and one could hear the continuous explosion of the cartridges stored up in the barn.

On Tuesday, October 20th, 1914, we caught a civilian, who was shot because he had cartridges in his pocket.

Towards the evening of this day the first four companies of Reserve Infantry Regiment No. 201 were to go forward on outpost duty, followed by the remaining companies. When the last companies had passed through the town of Lessen and the baggage had already arrived on the scene, it was fired upon on all sides from the houses and the church tower. Four of our men were wounded. When our artillery received the order to bombard the church tower, the church was set on fire, and in this way, probably, a non-commissioned officer and eight men who had been sent to search the tower were burnt to death. The enemy troops had already left the place; the only persons still there were civilians.

On the following day we were fired at from a farm, but could find nobody in the house. After the house had been burnt down, we found inside the body of a franc-tireur.

Read over, approved, signed.

Signed : WILLI KANDT.

Continued in the Königliches Amtsgericht at Lennep on November 20th, 1914.

4. Fritz Blum, 17 years of age, Evangelical, a compositor from Meiningen, war volunteer, 4th Company, Reserve Infantry Regiment No. 233, after taking the oath, made the following declaration :

On October 18th we occupied quarters at Westroosebeek (between Thielt and Roulers). We there ascertained

that both the millers had set the wings of their wind-mills in a particular direction, and so furnished a signal which betrayed our entry. Both the millers were seized, but in the course of a subsequent fight we lost sight of them.

On October 19th we took Roulers by storm. When we marched in we came under a hot fire from the houses. In searching the houses I found on the roof of a house a civilian who had fired with a shot-gun. He was just trying to escape through the skylight. So, as he paid no attention to my call, I shot him. He wore wooden shoes, and was otherwise dressed altogether as a townsman, and differed in no respects from a civilian. On the stairs we found bullets; they were partly of French origin, partly "dum-dum" leaden bullets, apparently made at home. The gun that was found was an old sporting-gun.

Read over, approved, signed.

Signed: FRITZ BLUHM.

5. Franz Breidbach, 19 years of age, Catholic, Abiturient from Luttinghausen, war volunteer, 6th Company, Reserve Infantry Regiment No. 235, after taking the oath, made the following statement:

On October 19th we marched through Roulers, which had previously been captured by Infantry Regiment No. 233. Our company formed the head of the column; the entire town was badly injured by artillery fire, and there was only one street which was fairly intact. From the houses of this street shots were fired at us, coming more especially from the cellar windows. My comrade, Kremst of Coblenz, fell in front of me, and two other comrades were slightly wounded. When we searched the houses we found six to eight francs-tireurs and a number of revolvers. A large quantity of ammunition was indubitably stored in the houses, for when the houses were set on fire a continuous series of explosions occurred.

On October 22nd I arrived at a field hospital in Roulers. There I heard four or five shots strike the hospital; a wounded Jäger, who was lying on a stretcher in front of the hospital, was shot dead by francs-tireurs.

Read over, approved, signed.

Signed: FRANZ BREIDBACH.

Signed: LANDSBERG. Signed: VELTMAN.

App. 50.

MILITARY COURT EXAMINATION of Ersatzreservist Gottfried Hilberath, Reserve Infantry Regiment No. 236.

Proceedings at Werne in the hospital, October 31st, 1914.

Königliches Amtsgericht, Langendreer.

Present :

Magistrate HIDDING, as Judge.

District Court Assistant, HARRIES, Secretary.

On the suggestion of the authorities of the hospital at Werne, the above-mentioned Court Commission visited the hospital in order to examine a sick soldier.

There was brought before them Gottfried Hilberath, of 60 Moselstrasse, Cologne, who, after being warned against the giving of a false oath, was examined as follows :

As to Person : My name is Gottfried Hilberath ; hotel waiter ; born at Neuenahr, August 12th, 1893 ; Catholic ; Ersatzreservist, Reserve Infantry Regiment No. 236, 3rd Battalion, 12th Company.

As to Case : Our regiment marched off on September 13th, 1914. We were conveyed by rail from our manœuvre ground. In the middle of October 1914 our detachment lay in the neighbourhood of the Belgian village of Deynze, near which we had to throw up trenches. During the night we occupied quarters in the town. At dawn we again entered the trenches. On the evening of October 25th we brought the wounded into the field hospital established in a village. At Deynze, with ten to fifteen comrades, we entered a house which was lighted, and found a number of our men already there, sitting in the room and drinking coffee. The housewife made coffee for the party of soldiers, as well as for ourselves, who came in afterwards. The husband was busily occupied with his grocery shop. All the soldiers spent the night in the house. That same evening about eight of our men filled their field flasks with coffee made by the woman. In the evening some bought themselves sugar in the shop for 10 centimes. I did this myself, and put it into my field flask, like the others. The sugar was ready for use in little packets. It struck me that a sticky mass adhered to the paper, which looked like gum-arabic. The sugar was made up in twisted pieces of paper, which were not stuck together and were apparently filled by the shopkeeper.

On the following day, some ten minutes after partaking

of the coffee in the trenches, I became unconscious, and must have remained in this condition about five hours. Two cyclists brought me through the village of Deynze to the field hospital at West-Roosebeck. Here I heard that the other comrades too had been poisoned, and also that some of them were already dead. What happened to the grocer and his wife in consequence of this, I do not know.

Read over, approved, signed.

Signed: GOTTFRIED HILBERATH.

The examined witness, after once more being warned against the giving of false evidence, thereupon took the oath.

Proceedings concluded.

Signed: HIDDING. Signed: HARRIES.

App. 51.

Court of the Belgian Government-General.

BRUSSELS, *December 14th, 1915.*

Present :

President of the Court, SÄGER.

Military Court Assistant, DUNVE, as Secretary.

Interpreter FULLES of the Military Court of the Province of Brabant, once for all put on oath.

There appeared as witness the merchant, Heinrich Bloch, of 35 Rue du Marché, Brussels, who made the following statements:

As to Person: My name is as given above. I am 68 years old, of the Jewish faith; a citizen of Baden.

As to Case: Up to 6 a.m. on August 20th, 1914, I was in Brussels. In the Brussels newspaper there was published a demand that weapons should be given up. On August 19th, 1914, I sent my man-servant to the Commissariat, Rue Croisate, with a revolver which he was to hand in. After a brief interval he returned and used these exact words, "One must not believe everything one reads in the newspapers" ("Il ne faut pas croire tout qu'on lit dans les journaux").

The proclamations were officially issued by the Burgo-meister. That the Commissaire took us to be Belgians, I have no reason to believe. The Commissaire who had refrained from taking the revolver from my man-servant fell in Belgium, when and where I cannot say.

Read over, approved, signed.

Signed: H. BLOCH.

There appeared further as witness, the man-servant Jules Brontine, 38 years of age, Catholic, a Belgian citizen, who made the following statement :

I can only state what Herr Bloch has already made known. He sent me on August 19th to the police station, in order to surrender his revolver. The Commissaire of Police, to whom I handed the weapon, sent me off with the words, "One must not believe everything one reads in the newspapers." Thereupon, I returned home again with the revolver. I said that the weapon belonged to Herr Bloch, who, as a German, was personally known to the Commissaire of Police. I assumed that the demand in the newspapers only referred to guns and swords.

Read over in French, approved, signed.

Signed : J. BRONTINE.

The witnesses Brontine and Bloch were sworn according to regulations.

Proceedings concluded.

Signed : SÄGER. Signed : DUNVE.

App. 52.

REPORT of Lieutenant von Manstein, commanding 1st Squadron, Dragoon Regiment No. 4.

August 27th, 1914.

On August 9th the patrol, while evading two French squadrons in the direction of Behême, was fired upon by inhabitants of this village.

A communication dated August 8th was seized, in which the Chief of the Gardes Forestiers writes to the Burgo-meister that Gendarmes and Verderers were instructed to organise the inhabitants for armed resistance. An inhabitant of Chiny informed me on August 10th, in answer to my questions—he took me for a Frenchman or an Englishman—that on the previous day the Garde Civile had been in the village and carefully instructed the inhabitants in the handling of weapons and the defence of the village.

On August 24th the inhabitants of Peissant had placed strong barricades across all the entrances to the village, shut the doors and window-shutters of every house, and furnished them with loopholes. They refused to open me a passage through, because they knew I wanted to avoid a company of English infantry, which was quite close to the village, and had with me only a single dispatch rider.

During the night they then divulged to the English artillery the names of the farms occupied by the 1st Squadron, Uhlan Regiment No. 1, and the 1st Squadron, Dragoon Regiment No. 4, and also the houses in which our valuable goods had been stored, so that the next morning the English artillery brought these farms and houses under shell-fire.

Signed: VON MANSTEIN, Lieutenant, Uhlan Regiment No. 10, commanding 1st Squadron, Dragoon Regiment No. 4.

App. 53.

MILITARY COURT EXAMINATION of Lieutenant of Reserve Bohme, Infantry Regiment No. 165.

Court of the 7th Infantry Division, Cherisy.

Present:

President of the Court, Dr. WELT.

Secretary, LORENZ, as Recorder of the Court.

November 25th, 1914.

There appeared as witness Lieutenant of Reserve Bohme, Infantry Regiment No. 165, who, after the importance of the oath had been pointed out to him, was examined as follows:

When I was quartered at Retinne, an officer of the Rhine Regiment came to me, and showed to myself and other officers a Bond, which, according to his account, had been found in the Burgomeister's office, in a neighbouring village. The Bond was typewritten, and contained the demand issued by the Belgian Government to the populace, that they should carry on armed resistance for payment. A fixed sum of money was mentioned in the Bond. The Bond was stamped with an official seal. The Bond was seen at the time by my comrades Pusch and Kurt Wagner, as well as by Lieutenant of Research Bloch, Infantry Regiment No. 27, and Lieutenant Brohm, Jäger Battalion No. 4.

Read over, approved, signed.

Signed: BOHME.

Proceedings concluded.

Signed: Dr. WELT.

Signed: LORENZ.

App. 54.

MILITARY COURT EXAMINATION of Reservist Richard
Weise, Fusilier Regiment No. 36.

BLANKENBURG (HARZ), *November 13th, 1914.*

Herzogliches Amtsgericht.

Present :

Oberamtsrichter Dr. SCHILLING, Judge.

Gerichtsobersecretar HORNIG, Secretary.

There appeared as witness the reservist Richard Weise, 6th Company, Fusilier Regiment No. 36, born March 29th, 1890, at Hohenmölsen, District of Weissenfels, at present in the hospital of this place.

There were read over to him the following statements made by 1st Lieutenant Reyner on October 31st, 1914 :

"In the early days of August, it may have been the middle of the month, I was on officer-patrol duty near the Belgian frontier, with orders to occupy a bridge. A brief engagement took place, and after an hour and a half the patrol retired. I, with some fusiliers, received some special orders, and for that reason left the patrol.

"During our retirement over a meadow we noticed in a street-trench, near a group of houses, several civilians who remained there. When we approached nearer, we saw lying in the trench a German soldier whose eyes had both been cut out. Thereupon we attacked the civilians, who ran off into the adjacent houses, and from these opened fire upon us. What became of the cruelly treated soldier I cannot say."

The witness thereupon declared: This statement is correct. I adopt it also as my own statement to-day, and make the following addition to it. I did not see the three or four civilians (who, in fear of us, ran away from the wounded German soldier into the adjacent houses) put out the eyes of the soldier. That these men, however, were guilty is clear from the fact that our wounded German comrade implored us, "Take me with you; they have just put out my eyes."

The attention of the witness was then called to the importance of the oath, and he accordingly gave his sworn testimony.

Read over, approved, signed.

Signed: RICHARD WEISE.

Signed: Dr. SCHILLING.

Signed: R. HORNIG.

App. 55.

MILITARY COURT EXAMINATION of the Reservists, Gustav Voigt, Fritz Marks, and Heinrich Hartmann, Infantry Regiment No. 165.

Proceedings at Quedlinburg, in the Reserve Hospital.

Present :

President of the Court, KEIL.

Secretary, FAHLBERG.

SCHILLING, *November 11th, 1914.*

In the Reserve Hospital at Schilling, to which the above-mentioned Court officials had proceeded, the following examinations took place after the witnesses had been individually warned as to the importance of the oath :

1. Reservist Gustav Voigt.

As to Person : My name is Gustav Voigt. I am 24 years old ; Protestant ; Reservist of the 6th Company, Infantry Regiment No. 165.

As to Case : On the morning of August 6th found myself with seven comrades separated from my detachment. In order to get cover we had to creep through the gardens of a village lying just beyond Herve in Belgium. We suddenly saw five Belgian soldiers, who held up their arms and offered to surrender. They called to us, and when we reached them we noticed that they had with them two German soldiers of the 10th Hussars in handcuffs. One of them brought to our notice that a third hussar was hanging dead in the tree. We observed that the ears and nose of the corpse had been cut off. The two hussars told us also that the five Belgians, who were there, had hung and mutilated their comrade. The Belgians were just on the point of slaughtering or mutilating these two also, had we not arrived on the scene. We disarmed the Belgians, took them prisoners, and handed them over to a party of five Uhlans, who were already taking several Belgian prisoners away with them. We, too, then joined the Uhlans in order to regain our company, and, while passing through the village, were fired at from the cellars and windows. The name of the village I do not know, but it lies between Herve and a large coalpit shaft in the direction of Liège. I myself was wounded in the street-fighting at Liège. On the day before this occurrence our company had an outpost fight to the right of Herve, in the course of which an Einjähriger of the 5th Company, Infantry Regiment No. 165, was wounded and left behind.

When we passed this spot again on the following morning we found the body of the Einjähriger lying under a garden fence; both his eyes had been gouged out. We were all convinced that this had been done by villagers.

On about August 7th, as we were advancing towards Liège, we saw a German infantry-man; I believe he belonged to Infantry Regiment No. 27. He showed no marks of any shot wound, but was dead, and all his private parts had been cut away.

Read over, approved, signed.

Signed: GUSTAV VOIGT.

2. Reservist Fritz Marks.

As to Person: My name is Fritz Marks. I am 23 years old; Protestant; by calling a factory worker; Reservist of the 2nd Company, Infantry Regiment No. 165.

As to Case: On August 5th our battalion marched through a village near Herve in Belgium. A man of the 5th Company came to meet us with the words, "What brutality! Now they have gouged out the eyes of one of our Einjähriger." He pointed to the place where the Einjähriger lay. We all had to go to the place, and saw the Einjähriger lying dead by a garden fence, with his eyes put out. We were convinced that this was the work of the villagers. Next day, when we again passed through the village, we were fired at from cellar gratings and windows, so that orders were received to disarm the villagers and make them prisoners. We forced our way into the houses and carried out the order. As, in spite of this, the firing did not cease, six guilty Belgian peasants were shot by order of an officer.

Read over, approved, signed.

Signed: FRITZ MARKS.

3. Reservist Heinrich Hartmann.

As to Person: My name is Heinrich Hartmann. I am 24 years old; Protestant; Reservist in the 2nd Company, Infantry Regiment No. 165.

As to Case: I saw lying on the ground the Einjähriger of the 5th Company, with his eyes gouged out. Our company leader, Hauptmann Burkholz, ordered us to search the houses in the place. Inside the house, by the garden fence of which the Einjähriger was found, we came across a big strong man of middle age, who was lying on his bed and pretending to be asleep. We brought him before the

officer, who cross-examined him. The man was then shot by a musketeer of the 4th Company.

On the advance towards Liège we came across a German infantry-man who had been thrust into a swampy pool with his head and half his body under water; the man was dead.

Read over, approved, signed.

Signed: HEINRICH HARTMANN.

The witnesses were thereupon sworn.

Proceedings end.

Signed: KEIL. Signed: FAHLBERG.

App. 56.

MILITARY COURT EXAMINATION of Musketeer Paul Blankenburg, Infantry Regiment No. 165.

BLANKENBURG (HARTZ), *November 14th, 1914.*

Herzogliches Amtsgericht.

Present:

Oberamtsgerichter Dr. SCHILLING, Judge.

Gerichtsobersecretär HORNIG, Secretary.

There appears as witness Musketeer Paul Blankenburg, 7th Company, Infantry Regiment No. 165, at the present time in the Reserve Hospital of this place. The witness, after the importance of the oath had been pointed out to him, was examined as follows:

As to Person: My name is Paul Blankenburg. I was born in Magdeburg, September 4th, 1893; Protestant.

As to Case: The following statement, which he had made on October 31st of this year before 1st Lieutenant Reyner in this place, was read over to the witness:

"We were on the march in close column, and in the course of it passed through a Belgian village, lying west of Herve. In the village German wounded were lying, and indeed I recognised some Jäger troops from Jäger Battalion No. 4. The column in marching through suddenly came under fire from the houses, and the order was therefore given to remove all the civilians from the houses, and to get them together into one place. While this was going on I noticed that some girls of eight or ten years of age, armed with sharp instruments, were busying themselves with the German wounded. I subsequently ascertained that, from the most severely wounded, the lobes and the upper parts of their ears had been cut off. On continuing our march, an ambul-

ance soldier, belonging, as far as I remember, to the 27th Regiment, was shot dead from a house by Belgian civilians while he was occupied in a school-yard in rendering assistance to a wounded man."

The witness therefore declared: "The statement just read over to me corresponds to the truth. I again emphasise the fact that I myself saw girls of some eight or ten years of age busying themselves with severely wounded men in the Belgian village. The girls had steel instruments in their hands—but they were not knives or scissors—and with these instruments, which were sharp on one side, they busied themselves among the wounded. We took the instruments from them. The wounded had fresh wounds on their ears, from which the lobes and upper portions had evidently been just cut off. One of the wounded told me in reply to a question that he had been mutilated by the girls in the way here described."

Read over, approved, signed.

Signed: PAUL BLANKENBURG.

The witness was thereupon sworn.

Signed: Dr. SCHILLING. Signed: HORNIG.

App. 57.

STATEMENT and MILITARY COURT EXAMINATION of Dragoon Funke, 2nd Hanoverian Dragoon Regiment No. 16.

CAISNES, *November 7th, 1914.*

Dragoon Funke states: At Herve men of the Magdeburg Field Artillery Regiment, which was marching through the place, drew my attention to the fact that a dead hussar was lying near a straw stack. I went towards the body and saw that the ears and nose of the hussar had been cut off, and also that the whole of his face had been mangled.

Signed: HEINICHEN, Lieutenant.

CAISNES, *November 7th, 1914.*

Present:

Deputy-President of the Court, Dr. STAHL (Gerichts-assessor).

Secretary, FREDERSDORF.

There appeared as witness Corporal Funke. The witness Funke made the same statement as that previously made by Lieutenant Heinichen. After this had been read

over he declared, "This is so correct that I have nothing to add to it."

Read over, approved, signed.

Signed: FUNKE.

The witness Funke was thereupon sworn. Proceedings took place as above.

Signed: STAHL. Signed: FREDERSDORF.

App. 58.

MILITARY COURT EXAMINATION of Reservist Ernst Baldeweg, Infantry Regiment No. 35.

MAGDEBURG, *November 1st, 1914.*

Gericht der immobilien Etappen-Kommandantur No. 1.

Present:

Military Assistant-Judge Dr. PAULS, Judge.

GLADROW, Secretary.

At the request of the Deputy-General in Command of the IV. Army Corps, the Reservist Ernst Baldeweg, dairy assistant in Berlin, 37 Rathenower Street, 11th Company, Infantry Regiment 35, 28 years of age, Reformed Church of Germany, after the sanctity of the oath had been pointed out to him, was examined as follows:

About the 8th of August 1914, in a village close to Verriers, I saw with my own eyes that in one stable one horse, and in another stable four horses, had had their tongues cut off. In the first case I noticed that the tongue had not been completely severed, but hung from the mouth on the jaws by a small fragment of flesh. I am of opinion that Belgian civilians had mutilated the animals in order to prevent their being taken on farther by the Germans.

Either on Sunday, August 9th, 1914, or on Monday, August 10th, 1914, I saw at a village quite close to Herve in Belgium a German hussar bound to a tree by his hands and feet. Two large, long nails had been driven through his eyes and his head, so that he was fixed to the tree by the two nails. The hussar had ceased to live. In the same village there was lying by a wooden fence in front of a farm an infantry-man of the 52nd Infantry Regiment. His eyes had been put out, his ears, nose, and fingers cut off, and his stomach slashed about so that the intestines were visible. The breast of the dead soldier had also been so badly stabbed that it was completely mangled. For both these

cases of gross cruelty the Belgian civilians alone can be held responsible.

I again assert that I have reported only what I personally observed, and have refrained from any exaggeration.

Read over, approved, and signed.

Signed : ERNST BALDEWEG.

The witness was sworn.

Signed : Dr. PAULS. Signed : GLASDROW.

App. 59.

MILITARY COURT EXAMINATION of Musketeer Lagershausen,
Ersatz Regiment No. 230.

HANOVER, *November 21st, 1914.*

President of the Court, LINDENBURG.

Secretary, Non-commissioned Officer of Reserve
KOEPP.

There appears as witness Musketeer Lagershausen, 1st Ersatz Company, Reserve Regiment No. 230, who, after the importance of the oath has been pointed out to him, made the following declaration :

As to Person : My name is Hugo Lagershausen. I am 19 years of age ; Protestant.

As to Case : I was attached to the 8th Company, Infantry Regiment No. 73, which had pushed forward from Spa towards Liège. We, *i.e.* a corporal of Regiment No. 74, several musketeers of Regiments Nos. 82 and 83, and I myself, forthwith got the order to act as a reconnoitring patrol on the right. This was on the night of August 5th-6th. As the darkness had set in, and we had to proceed very quietly, I suddenly found myself separated from all the rest of the patrol. Towards midday on August 6th I reached a dressing-station which had been arranged in some farm buildings near the village of Chênée. I found in the house some fifteen severely wounded German soldiers, four or five of whom had been shockingly mutilated. Both eyes had been put out, and some of the victims had several finger joints cut off. Their wounds were still comparatively fresh, though the blood was already somewhat coagulated. These soldiers were still alive and groaning. It was impossible for me to give them any help. There was no doctor in the place, as I had already ascertained by questioning other wounded men lying in the house. At

the same time I came across in the house six or seven Belgian civilians; four of these were women, who gave the wounded water. The men remained quite inactive. I saw no weapons in their possession; further, whether their hands were bloodstained I cannot say, because they kept them concealed in their pockets. As regards the point whether it was these persons who had perpetrated these cruelties on the wounded soldiers, I can make no definite pronouncement. I could take no action against these persons, because I was absolutely alone.

Read over, approved, signed.

Signed: Musketeer LAGERSHAUSEN.

The witness was sworn in accordance with regulations

Signed: LINDENBERG. Signed: KOEPF.

App. 60.

MILITARY COURT EXAMINATION of the soldier Koch, Infantry
Regiment No. 25.

STADEN, *November 27th, 1914.*

Divisional Headquarters.

Present:

President of the Court, JÄGER.

Secretary, BREHMER.

There appeared as witness the soldier Koch, 4th Company, Infantry Regiment No. 25. After he had been made aware of the object of the inquiry, and the importance of the oath had been pointed out to him, he was examined as follows:

As to Person: My Christian name is Mathias. I am 32 years of age; Catholic; smelter by trade; living in Eschweiler-Röhe.

As to Case: Up to August 16th of this year I belonged to the 1st Company of the Ersatz Battalion, Infantry Regiment No. 25. We were assigned as escort to guard the motor ambulances. The motor ambulances had been provided by the Voluntary Aid Society, and ran between Liège and Aix-la-Chapelle. One day in the period from 10th-16th August I was ordered to accompany one of these motors. We drove towards the battlefield in the vicinity of the town of Visé. In front of us the men of the Voluntary Aid Society deployed, and we followed slowly after them. From some rising ground I could easily survey the land lying in front of me. At a distance of about 500 metres

I saw near a wounded German soldier two women sitting in a crouching position. I at first assumed that the women were praying beside the soldier. Hard by, three or four men were standing. One of these suddenly fired at me. I replied to the shot, whereupon the men and both the women ran away. I then went up to the wounded soldier, who was bleeding from a wound in the chest. His trousers were open in front and partly drawn back. On nearer inspection I ascertained that the sexual organ of the soldier had been completely severed and placed in his mouth. The soldier showed no longer any signs of life, but his body was still warm. The sight appeared to me so terrible that tears came into my eyes. I removed what had been put in the mouth, and buried it in the ground. I left the soldier lying there, as he was unquestionably dead.

On the same day I also found the body of a German, whose ring finger had been cut off. When I told this to the men of the Voluntary Aid Society, they gave me to understand that this was no news to them, as they had often seen the same thing before.

Read over, approved, signed.

Signed: MATHIAS KOCH.

The witness was sworn.

Proceedings end.

Signed: JÄGER. Signed: BREHMER.

App. 61.

REPORT of Medical Corps Company 2, VI. Army Corps.

BEINE, *October 15th, 1914.*

On August 23rd I went to the French field hospital through Rossignol, where the company had established its chief dressing-station. On the way a musketeer reported to me that a dead German was lying in a house. I at once inspected the corpse and ascertained that, in addition to a wound, which was not mortal, the head of the soldier had been burnt. A few metres away stood a half-filled bottle of petroleum, and another half-filled with benzin. One could clearly see from this that the inhabitants had dragged the wounded soldier into the house, saturated his head with petroleum and benzin, and then set it alight.

On the night of 24th-25th of August I drove in an automobile from Rossignol to Florenville, where a number of inhabitants were standing by a house engaged in a lively

conversation. When, about 100 metres farther on from this point, I stopped my automobile in order to ascertain the direction from a signpost, I was suddenly exposed to a vigorous fire from these people behind me, so that it was only by driving off very quickly that I was able to save my life.

Signed: STERNBERG, Captain and Commander
of Medical Corps Company 2, VI.
Army Corps.

App. 62.

STATEMENT of Senior Staff-Surgeon Dr. Kiefmann, Medical
Corps, VIII. Army Corps.

Proceedings at Field Hospital No. 3, VIII. Army Corps.

ST. MOREL, *October 15th, 1914.*

There appears as witness Dr. Beyer, who states that Lieutenant Erich Koch, 8th Company, Infantry Regiment No. 160, who had received a severe wound in the perinæum, with laceration of the rectum, informed him after receiving his wound he had been stripped naked by the civilians, robbed, and thrown into a cesspool.

Lieutenant Koch was in fact naked, and only wrapped in a blanket when brought into the hospital.

Read over, approved, signed.

Signed: Dr. BEYER, Staff-Surgeon.

There appears as witness Acting-Sergeant-Major (Medical Service) Joseph Steffen, who states in reference to the case in hand:

I can only confirm the statement of Staff-Surgeon Beyer. Lieutenant Koch gave me the same information, and added the fact that the women also had taken part in this outrage. Koch was wounded near Porcheresse.

Read over, approved, signed.

Signed: STEFFEN, Acting - Sergeant - Major,
Medical Service.

Proceedings took place as above.

Signed: Dr. KIEFMANN, Senior Surgeon and
Chief Staff-Surgeon.

App. 63.

MILITARY COURT EXAMINATION of Landwehr soldier Alwin Chaton, Reserve Infantry Regiment No. 78.

BRAUNSCHWEID, *October 31st, 1914.*
(The Hospital "Konzerthaus.")

Gericht der stellvertretenden XL. Brigade.

Present :

President of the Court, Dr. BEHME.

Secretary, DE BOER.

There appeared to-day as witness the Landwehr soldier Alwin Chaton, 5th Company, Reserve Infantry Regiment No. 78, who made the following statement :

My name is Alwin Chaton. I am 32 years old ; Protestant ; book-keeper at Emmerstadt, near Helmstadt.

During the street-fighting in Charleroi, in the course of the fight we passed the main street and reached a side-street leading from the main street. When I had come to the street corner and fired down the side-street, I saw some 50 to 60 paces in front of me a German dragoon lying in the street. Three civilians were near him, one of whom was bending over the soldier, who was still kicking with his legs. I fired among them and hit the last of the three civilians ; the others ran away. On coming nearer I saw that the civilian I had shot had a long bloodstained knife in his hand. The right eye of the German dragoon had been cut out, and the left one as well, though this was still hanging from the side of his head. From the nature of the wounds there could be no doubt that the eyes had been cut out, not in the fighting, but by sheer malice. A great deal of smoke came from the body of the dragoon. He had no doubt been soaked in inflammable liquid and set alight.

Later on I saw other bodies burning, though there was no sort of fire in the vicinity ; these also must have been set alight.

Read over, approved, signed.

Signed : ALWIN CHATON.

The witness was thereupon sworn.

Signed : BEHME. Signed : DE BOER.

App. 64.

MILITARY COURT EXAMINATION of Acting-Sergeant-Major
Weinreich, Infantry Regiment No. 20.

Court of the 6th Infantry Division.

Present :

Deputy-President of the Court, SCHMETZER.
Secretary, HÄNSE.

URSEL, *November 10th, 1914.*

There appears as witness Acting-Sergeant-Major Weinreich, Machine-gun Company, Infantry Regiment No. 20, who, after the importance of the oath had been pointed out to him, made the following statement :

As to Person : My name is Adolf Weinreich. I am 32 years of age ; Protestant.

As to Case : One day in the middle of August this year, I proceeded with the Company Transport, behind the company, which was taking part in the fight. At the entrance of Neer-Linter I saw a German hussar lying in the house covered with a sack. I dismounted from my horse, lifted the sack, and noticed that the hussar was dead. His face was covered all over with blood, the eye cavities were bored out, the eyeballs themselves had been completely cut away and had disappeared. The coat was torn open, the breast exposed, and showed marks of some twenty stabs. I covered the corpse again with the sack.

Read over, approved, signed.

Signed : ADOLF WEINREICH.

The witness was hereupon sworn.

Signed : SCHMETZER. Signed : HÄNSE.

App. 65.

Herzogliches Amtsgericht.

Present :

Oberamtsrichter Dr. SCHILLING, Judge.
HORNIG, Secretary.

BLANKENBURG (HARTZ), *November 14th, 1914.*

There appeared as witness Fusilier Paul Rohr, 8th Company, Fusilier Regiment No. 36, at present in the Reserve Hospital at this place ; he was examined as follows :

As to Person : My name is Paul Rohr ; born on August 28th, 1892, at Galbitz, near Cönnern ; Protestant.

As to Case: The following deposition, which he had made before Lieutenant Reyner on October 31st, 1914, was read over to witness:

"Whilst taking some straw for camp purposes from a barn near Brussels we found two otherwise unwounded German Uhlans hidden under the straw. Both had their eyes poked out. The case, as I know, has already been reported to my battalion commander, Kirchner."

He thereupon declared: I affirm this deposition to-day, and add the following detail: The occurrence took place in a village near Brussels at about the end of August this year. The two German Uhlans I found lying dead under the straw in the barn were absolutely unwounded, with the exception of their torn-out eyes, and there exists no doubt in my mind that the wounds inflicted, when their eyes were destroyed, were the sole cause of their death.

Read over, approved, signed.

Signed: PAUL ROHR.

After the witness had been admonished as to the importance of the oath, he was duly sworn.

Signed: Dr. SCHILLING. Signed: HORNIG.

App. 66.

MILITARY EXAMINATION of Captain Troeger, Reserve Infantry Regiment No. 204.

Ministry of War.

Military place of examination concerning violations of the Laws of War.

Present:

Kriegsgerichtsrat, Dr. LINDE, Judge.

PFITZNER, Secretary.

BERLIN, *November 24th, 1914.*

There appeared as witness Captain Troeger, Reserve Infantry Regiment No. 204, who stated:

As to Person: My name is Hans Troeger; 45 years old; Protestant.

As to Case: On the march from Ghent to Thourout, two volunteers of Reserve Infantry Regiment No. 203, who had collapsed from exhaustion, were mutilated by Belgian villagers, their ears and noses were cut off, their stomachs slit open, and one of them had his skull fractured by the heel of a boot. This fact was made known to us

amongst others by the commanding officer of the company, Captain zur Nieden, to whose company the two volunteers belonged.

The following is another case, which took place at Cessen-Kappel :

Non-commissioned Officer Schnitzer, 5th Company, Reserve Regiment No. 204, reported to me on October 26th or 27th that he had found a mutilated Prussian dragoon at Cessen-Kappel whose ears and nose had been cut off, and his stomach slit open by villagers. The said non-commissioned officer thereupon searched the farms in question with a detachment of his men, and found a few armed inhabitants, who were shot at once.

On our march through Belgium from Ghent onwards we were constantly fired on by the inhabitants from houses and church towers.

Read over, approved, signed.

Signed : TROEGER.

The witness was sworn.

Proceedings concluded.

Signed : Dr. LINDE.

Signed : PFITZNER.

APPENDIX A.—AERSCHOT

App. A.

War Office.

Military Court of Inquiry into the Violation of the Laws of War.

BELGIAN CIVILIAN UPRISING IN AERSCHOT ON AUGUST 19TH AND 20TH, 1914.

Comprehensive Report.

The officially summoned Belgian Commission of Inquiry, together with the foreign Press, have included the case of Aerschot in their innumerable calumnies against the German method of waging war in Belgium. Neither could find enough to say in their descriptions of the "barbarous" attitude adopted by the German troops and their officers towards the "harmless" inhabitants, nor against the utter lack of ground for the Court of Punishment held in the "peaceful" town. The true facts of the matter, which have been established by a number of carefully sworn testimonies given by unprejudiced witnesses, reveal quite a different picture.

On August 19, 1914, German troops of the 8th Infantry Brigade were housed in Aerschot. The town quietly watched the Brigade Staff enter on the same day. Colonel Stenger, in command of the brigade, sent his adjutant, Captain Schwarz, in advance, in order to procure billets for the members of the staff. Captain Schwarz was received in a friendly manner by the Mayor and his wife. The Mayor suggested that his own house, situated in the market-place, would provide the best accommodation. The Colonel and his orderly officer, Lieutenant Beyersdorff (App. 1), went there in the afternoon between four and five. The relations between the officer staying in those quarters and his host were from the very first amiable and polite (App. 1).

Colonel Jenrich, officer commanding Infantry Regiment No. 140, attached to the Brigade, was made Governor of the

town, and summoned the Mayor in order to ask him whether any dispersed Belgian soldiers were hidden in the place, or disguised as civilians in the houses. The Mayor replied to both questions in the negative. Colonel Jenrich warned him expressly against attacks by the civil population, for which the Mayor, on penalty of death, would be held responsible. Further, he desired him to see that the inhabitants delivered up all weapons. This demand Colonel Jenrich had to repeat twice, as it turned out that great quantities of weapons were kept back by the population (App. 2).

At 8 o'clock in the evening a particularly loud report was heard in the town, which proved to be the signal for a general firing on the German troops gathered together in the streets and the market-place. The fire—evidently at the given signal—opened from the roof windows of a corner house near the market-place, situated opposite that of the Mayor (App. 3). Three volleys were fired from this house, then the shooting ceased for a short time, after which brisk and rapid firing began again from many of the houses. The shots came chiefly from the roof window. All the doors and windows of the house from which the first shot had been fired were firmly locked, and had to be broken open by the soldiers. The house was set on fire. Several civilians, who attempted to flee, were seized, many with weapons in their hands (App. 5). Eighty-eight men amongst them were shot as francs-tireurs (App. 3).

Colonel Stenger had remained alone in his room in the Mayor's house. By a notice on the door the house was easily recognisable as being the quarters of the Brigade Staff. Colonel Stenger, trusting to the assumed friendliness of the inhabitants, had spent the afternoon on the balcony adjoining his room, where he was clearly visible to all. Towards the evening he retired to his brightly lit room, leaving the balcony doors wide open (App. 1). When Captain Schwarz and Lieutenant Beyersdorff went to call on him in the evening about 8 o'clock, in order to receive instructions with reference to the uprising, they found Colonel Stenger lying mortally wounded in the middle of the lighted room, with the balcony doors still wide open. The doctor, who was immediately summoned, could only testify to the death that had already overtaken him (App. 1). The shots fired at the Colonel occurred then at the same time as those of the first lively volleys fired from the house opposite his room. It was the case of a systematic attack

upon the German troops, who, robbed of their leader, were to fall into disorder and confusion. Hence the cessation of the firing after the first volleys, when the ~~criminals~~ saw they had succeeded in murdering the Colonel, and its immediate hostile renewal against the apparently leaderless troops. The sequence of events is so obvious that it is only confirmed by the previous pretence of friendliness on the part of the inhabitants, and not weakened by this fact, as the Belgian representation of events would have it.

An immediate search of the Mayor's house showed that the family were not only cognizant of the hostilities, but also participated in them. Shots were fired into the street from the locked cellar, the key of which the family declared to have been lost, and it had to be forcibly opened; a stand had even been moved to the cellar window, in order to make their position easier for the marksmen (App. 1), and a musketeer was positively certain that he had noticed a shot fired from the house (App. 1). The Mayor's son alone could be held responsible for the actual deed; hidden away by his family, he was fetched out of a dark room (App. 1). But since the whole family were guilty of the Colonel's murder after having received him with such "hospitality," according to Belgian reports, both father and son were shot on the following day, August 20 (App. 2).

At the town Governor's instigation, Captain Karge, officer commanding the Military Mounted Police, was lodged in the house of the Mayor's brother, and thus he too shared the same fate (Apps. 2, 3).

According to the nature of the firing, no doubt remains of its being a case of a systematic and murderous attack on the German garrison. This was also admitted to Captain Karge by a civilian prisoner of the educated classes (App. 3). The participation of the Mayor's whole family proves that the Belgian authorities supported such treacherous deeds against the German troops—deeds that were, unhappily, only too frequent. In Aerschot this mischievous official authority led to the ruthless murder of the commanding officer.

BERLIN, *January 17th, 1915.*

Military Court of Inquiry into the Violation of Military Law.

Signed: Major BAUER.

Signed: Dr. WAGNER, Member of the Supreme
Court of Judicature.

A. App. I.

Present :

Lieutenant of Reserve KLAUSS, Officer of the Court.
Acting-Sergeant-Major Ross, Clerk of the Court.

ROUBAIX, *November 6th, 1914.*

At the inquiry concerning the events in Aerschot, on the night of August 19-20, 1914, there appeared as witnesses :

1. The Adjutant of the 8th Infantry Brigade, Captain Schwarz.

2. The Orderly Officer of the 8th Infantry Brigade, Lieutenant of Reserve Beyersdorff. After they had been acquainted with the nature of the inquiry, and their attention had been called to the importance of the oath, they were separately examined, as follows :

1. Captain Schwarz.

As to Person : My name is Carl Schwarz. I am 34 years of age, of the Protestant faith.

As to Case : On the 19th of August I was sent in advance of Colonel Stenger, who later was shot, and was commanding the 8th Infantry Brigade, to Aerschot, to find quarters for the staff. The Mayor of Aerschot suggested to me that his own house, situated in the market-place, would provide the best accommodation. I entered this house, and was received in the most friendly manner by the Mayor's wife. Between four and five in the afternoon, Colonel Stenger and the Orderly Officer, Lieutenant of Reserve Beyersdorff, arrived.

Shortly before eight in the evening, soon after I had had a short interview with the Colonel in his room, there suddenly arose a brisk rifle-fire in the town ; it was directed on the troops, who were partly passing through and partly halting in the market-place. The first shots, which, according to the sound, seemed to come from a northerly direction, I thought came from the enemy's fire, who had been reported as advancing from the north. But I was soon convinced by the shots directed on our house that they were intended for us. The shots did not emanate from our troops. After a short pause, the firing was renewed with equal violence. In the meantime, the Mayor was brought to me by the men of the 140th Infantry Regiment. I had to protect him from the fury of the men. I now went through the streets with the Mayor, and through him tried to bring the citizens to reason. After the firing had died down, I handed the Mayor over to the commandant of the town, Major Jenrich.

As I now returned to the Mayor's house to receive orders from Colonel Stenger, I found him lying seriously wounded on the floor of his room. Owing to the many shots fired at our adjoining rooms, and to the fact that the townsfolk obviously knew that the commander was billeted in the Mayor's house (indicated on the door), and further, that Colonel Stenger could be seen through the wide-open doors of the balcony, I was under the impression that the fire was specially directed against the Colonel.

After Colonel Jenrich had given the command that the troops should leave Aerschot, I personally, accompanied by a few men of the 140th Infantry Regiment, made a thorough search of the Mayor's house, from which shots were supposed to have been fired. On this occasion, by my orders, the locked cellar doors, of which the keys were alleged to have been lost, were broken in with axes. In the cellar, in front of the window which opened on to the street, I found a conspicuous stand from which shots must have been fired. The window-panes were completely shattered. Whilst we were searching the living-rooms, the Mayor's son came towards us from a darkened room. I, personally, handed him over to the sentry in the market-place. Those calumnies about our doings in the Mayor's house, published in a foreign newspaper, are untrue.

The negotiations concerning the housing and catering were conducted on both sides in a friendly fashion, mostly with the Mayor's wife, as the Mayor was occupied at the town hall. It was natural that, after the shooting of Colonel Stenger, the friendly tone which had reigned should have been changed to a strictly official one, and I did not omit to show my horror at the sad event.

Read over, approved, signed.

Signed: SCHWARZ.

Hereupon the witness took the oath.

2. Reserve Lieutenant Beyersdorff of the 12th Dragoon Regiment.

As to Person: I am called Bruno Beyersdorff. I am 31 years of age, and a Protestant.

As to Case: At the hearing of the witness it turned out that his evidence agreed with the evidence of Captain Schwarz. Therefore Captain Schwarz's deposition was read to him, whereupon he declared this evidence to be correct, and confirmed it and added a few more details.

With the exception of a few short intervals, I was at

the time in question in the same room with Captain Schwarz. The negotiations concerning the housing and catering, which we both had with the Mayor and his wife, were conducted in an entirely friendly fashion.

I am, for similar reasons, of the same opinion as Captain Schwarz, that the fire which was directed on our quarters was especially intended for Colonel Stenger. In referring to this, I want to add that Colonel Stenger, especially noticeable by his decorations, sat for some time on his balcony, and could be clearly seen from the whole market-place. I also, with Captain Schwarz, left the room after the first sounds of firing, and proceeded to the market-place to restore order there amongst the troops, who had become disorganised through the firing. When the shooting began soon after, for the second time, I went alone to Colonel Stenger's room, to ask him for orders. As no one opened the door after repeated knocking, I entered, and found him stretched on the floor in the middle of the room, with his face on his bended arm, in his death-agony. As I could observe wounds, and there was copious bleeding, I immediately fetched a doctor, who certified that the Colonel had since died. I cannot give the name of the doctor. I was not present at the searching of the rooms, which took place later. There is no question of our having behaved in a rough manner in the Mayor's house, as is supposed to have been stated in a foreign newspaper. After the Colonel's body had been found, we did adopt a strictly official tone towards the Mayor's wife. On leaving the house, Captain Schwarz said to the Mayor's wife, "Your husband had been frequently warned, and you will have to bear the consequences." I also wish to add to this, that, after the firing had ceased, Captain Karge, as far as I know, gave command for at least three houses to be set on fire, from which shots were supposed to have been fired. I myself ascertained that during the burning of the house belonging to the Mayor's neighbour, exploding munition was distinctly heard. It was noticeable from the separate detonations.

Read over, approved, signed.

Signed: BEYERSDORFF.

The witness thereupon took the oath.

Signed: KLAUSS, Lieutenant of Reserve and
Officer of the Court.

Signed: ROSS, Acting-Sergeant-Major, as Clerk
to the Military Court.

A. App. 2.

Present :

Lieutenant of Reserve KLAUSS, as Officer to the Military Court.

Acting-Sergeant-Major Ross, as Secretary to the Court.

OSTEL, *November 3rd, 1914.*

At the inquiry concerning the events of the night of August 19 and 20, 1914, in Aerschot, there appeared as witness the officer commanding the 140th Infantry Regiment, Colonel Jenrich. After he had been acquainted with the subject of the inquiry, and his attention had been drawn to the importance of the oath, he was examined as follows :

My name is Andreas Jenrich. I am 56 years of age ; Protestant. On August 19th I came personally with the staff of my regiment to Aerschot, after the 3rd Division had had a fight with Belgian troops in that neighbourhood. I was commander of the place, and had to make preparations for internal administration, as well as for safety. The Staff of the 8th Infantry Brigade were already in Aerschot, and were billeted in the Mayor's house. I at once sent for this gentleman and asked him whether there were any disbanded Belgian soldiers hidden away, or if there were otherwise any Belgian soldiers in civilian clothing in the houses. He denied this. I pointed out the consequence to him, for which he and the town would be held responsible, if anything was undertaken by the populace against the German troops ; and especially I left him in no doubt as to the death penalty awaiting him should an attack by the civilians against the German soldiers take place. I felt justified in this threat, as on the day before, in Schaaffen, near Siest, civilians fired at our soldiers, killing several of them. As far as I know, at midday on August 19, 1914, the General commanding the II. Army Corps, Von Linsingen, had likewise warned the Mayor and the population.

I also ordered the civilians to give up all their weapons in front of the town hall in the market-place. After an hour I ascertained that only a small quantity of arms had been given up. I then renewed my commands to the Mayor that he should see to the handing over of all weapons. To my especial astonishment, 36 rifles were then brought forth, which had evidently been intended for the purpose of public shows and for the Garde Civique. Portions of

ammunition for these rifles were found packed away in a case. After repeated and serious warning to the Mayor, a larger quantity of weapons was given up. Towards 8 o'clock the troops had just marched in, and still found themselves in the streets. All at once, at 8 o'clock exactly, firing suddenly began from all the houses, and this was naturally returned by our men. I should especially like to point out that before the commencement of the general firing, a particularly loud report was heard, which must have been the alarm signal. I succeeded, with several other officers, amongst whom I may mention Brigade Adjutant Captain Schwarz, in stopping the fire of our soldiers in the market-place. Soon after I heard from Captain Schwarz that the officer commanding the brigade had been found shot dead in his room in the Mayor's house. At about 8.30 in the evening I commanded the evacuation of the town, and we bivouacked outside the place on the way to Wispelaer.

In the meantime the houses had been searched by the troops, and a considerable number of inhabitants taken prisoners, who were proved to have taken part in the attacks on the soldiers. Of the male population taken prisoners the Mayor, with his son as well as his brother, and every third man, were shot the next morning.

Read over, approved, signed.

Signed: JENRICH.

Hereupon the witness was sworn.

Signed: KLAUSS, Lieutenant of Reserve and Officer to the Military Court.

Signed: ROSS, Acting-Sergeant-Major and Secretary to the Military Court.

A. App. 3.

Present:

President of the Military Court, HOTTENDORFF.

Secretary to the Military Court, WESTPHAL.

TOURCOING, *November 15th, 1914.*

At the investigation concerning the events in Aerschot on the night of August 19th to 20th, 1914, there appeared as witness Captain Karge of the cavalry, officer commanding the troops of the Field Cavalry Police of the II. Army Corps, who, after his attention had been drawn to the importance and sanctity of the oath, was examined as follows:

As to Person : My Christian name is Hans. I am 42 years of age ; Protestant.

As to Case : The witness was handed the supplement to this Record and declared :

I have given my evidence in writing in the supplement. Witness then further added to the Record, after this supplement had been read through :

I acknowledge the supplement just read as my own. Several German officers told me that, according to report, the Belgian Government, and especially the King of the Belgians, had intimated that it was the duty of every male Belgian to do the German Army as much harm as possible.

An Order of this kind was also supposed to have been found on a captured Belgian soldier. I also heard that Belgian soldiers had been discharged in their native towns, so that they could there fight in plain clothes against the Germans. It is true that a number of Belgian soldiers, who were partly clothed as civilians, were made prisoners. An officer, who was present at the attack in Aerschot, told me that on the belfry tower of a certain place in the neighbourhood of Aerschot he had himself read that Belgians who caught German officers were not allowed to keep them prisoners on parole, but were to shoot them. I cannot exactly repeat this officer's words, but they contained the meaning I have just given.

A college teacher from Aerschot, whom I have already mentioned in the supplement, assured me, as I now positively remember, that the Garde Civique had orders to do the German Army as much harm as possible.

Read over, approved, signed.

Signed : KARGE.

The witness thereupon took the oath.

Proceedings closed.

Signed : HOTTENDORFF. Signed : WESTPHAL.

Supplement to A. App. 3.

On August 19th, 1914, towards 8 o'clock in the evening, I stood at an open window in the quarters which had been offered me by the Mayor of Aerschot, whose brother's house it was, situated in a street which led to the market-place. It may have been a few minutes to eight when I heard a shot. A column was just marching down the street towards

the market-place. I leant out of the window, under the impression that perhaps one of the soldiers had carelessly fired a shot from his rifle ; immediately there was a fusillade. I had just looked in the direction from which the single shot had been fired, and I could ascertain that from the ledge of the roof of a red corner-house, situated opposite my billet, towards the right, the smoke and dust were ascending. My certainty that the first shot had been fired from this spot was strengthened, and I now distinctly saw a second volley being fired from the same place, appearing in thin clouds of smoke. The shots may have been fired from about eight or ten rifles, and from the regularity of the volley I had the impression that we had to do with a well-organised and perhaps military operation. Shortly after the second volley a third was heard, and added to that a brisk and rapid firing took place, which did not proceed only from the house mentioned, but also from the other houses in this street.

Apparently this firing did not only come from the windows, but also from the openings in the roof and prepared loopholes in the attics of the houses ; it is because of this that one can explain the small harm done to the men and animals. The street was narrow, and the rifles had to be placed in an unnaturally slanting position, if they were to be aimed at the halting columns in the middle of the street. The drivers and soldiers of the supply column had in the meantime left their waggons and horses and sought shelter from the fire in the doorways of the houses. Some of the waggons had collided with each other, and the restless horses, having lost their drivers, had broken loose.

As shots also came my way, I sought shelter against the partition wall between the windows. After a short time, I thought I heard the firing returned by our soldiers in the market-place. Soon after, signals and calls were heard to "cease fire." The firing did then cease for a time, but was apparently renewed on both sides, though not so violently as before.

I had taken the opportunity to leave my billet during the cessation of the firing, and go to the market-place, to inform a Colonel there of the proceedings I had witnessed. At the same time, I asked permission to set fire to the house from which the signal shot—as I took it to be—had been fired, and from which the volley had also come. In my opinion, the ringleaders were assembled there. The Colonel refused my request. I hereupon returned to my street,

but was there detained a moment by a rifleman, who, standing in a doorway, called out, "Just now I plainly saw a shot fired from the house opposite." He then pointed out the house, which I recognised as that of the Mayor.

I now took a few soldiers who were standing near by (of the 140th Infantry Regiment), and proceeded with them to the house from which the first shots had been fired, and in the attic of which I guessed the instigators and leaders still to be. In the meantime the regiment arrived, and—giving my commands to the officer and his men—I ordered the doors and windows on the ground floor, which were firmly locked, to be battered in. The house had a front door and a shop door. I then also forced my way into the house, and with the help of a fairly large quantity of turpentine, which was found in a tin can holding about 20 litres, and which I had partly poured on the first floor, I succeeded, after a short time, in setting the house on fire. Further, I gave orders to the men who had so far taken no part in this affair to occupy the entrances to the houses and arrest all men seeking to escape.

As I left the burning house several civilians, amongst them a young priest, were arrested in the neighbouring houses. I had them taken to the market-place, where in the meantime my troop of Field Cavalry Police had assembled. I then ordered the columns to march out of the town, and took over the command of all the prisoners, but released the women, boys, and girls.

I received from a staff officer (divisional commander of Artillery Regiment No. 17) the order to shoot all the captured men. Then I gave orders to a part of my police force to conduct the columns out of the town, whilst the others were told to escort the prisoners and take them away. At the exit of the town a house was burning, and by its light I saw the guilty men, 88 in number, shot, but not before I had taken away three cripples from among them.

Later on I met a second batch of prisoners. I picked out the most intelligent looking, and told him all the prisoners would be shot, but that I would save his life if he told me the truth concerning the organisation of the attack. For I looked upon the whole affair as such. This man, who spoke German and was a teacher at a college in Aerschot, confessed to its having been a great mistake of the people of Aerschot to have sheltered some fugitive Belgian soldiers, and to have hidden them and clothed them

in civilian garments. These had joined the Garde Civique, and they had then organised an attack.

If I consider all the circumstances of the strange and remarkable behaviour of the Mayor, his brother, and other citizens with whom I came into contact, then I have no doubt that a great part of the civil population were all agreed in carrying out their hostile intentions.

Signed : KARGE, Captain of Cavalry.

A. App. 4.

Present :

President of the Military Court, JÜNGST.

Secretary to the Court, APPEL.

GNESEN, *November 29th, 1914.*

At the investigation concerning the events of the night between August 19th and 20th, 1914, at Aerschot, Captain Schleusener of the 49th Infantry Regiment, at present in Gnesen, appeared as witness, and after his attention had been called to the importance of the oath, was examined as follows :

My name is Georg Schleusener, Captain and Company Commander, 6th Pomeranian Infantry Regiment No. 49, machine-gun section. I am 35 years of age, Protestant, and I live in Gnesen.

Late in the afternoon of August 19th, 1914, I arrived with my machine-gun section, on a special mission, in this little town of Aerschot, by the northern exit. About 350 yards from the market-place I heard a few isolated shots, which I took to be exploding ammunition. But I soon found I was mistaken, as I encountered some returning cavalry patrols and their waggons, belonging to the 3rd Infantry Division, trying to beat a hasty retreat. After having succeeded in stopping our own firing, I myself saw shots fired from the houses, whereupon I ordered our machine-guns to be directed on the house fronts to the left. I was told that shots had been fired from a house on the right. As I commanded the guns to be turned round in order to open fire, a medical officer told me that there were wounded in the house. At my instigation a search was made, and five men were found in the house. I did not allow this house to be fired on.

Captain Folz, at present attached to the General Staff

in Berlin, is supposed to be able to give more direct information concerning the death of Colonel Stenger.

Read over, approved, signed.

Signed : SCHLEUSENER.

The witness was hereupon legally sworn.

Signed : JÜNGST, President of the Military Court.

Signed : APPEL, Secretary of the Military Court.

A. App. 5.

Present :

President of the Military Court, BERNHARDS.

Clerk of the Military Court, HOFMANN.

DARMSTADT, *January 12th, 1915.*

There appeared as witness at the inquiry concerning the detailed circumstances of the attack of the civil population in Aerschot, Captain Folz. After he had been acquainted with the subject-matter of the inquiry, and his attention had been drawn to the importance of the oath, he made the following statement :

My name is Hermann Folz. I am 32 years of age ; Protestant ; Captain, 49th Infantry Regiment, at present with the Reserve Flying Corps, Section 3. On a day in August, the date of which I have forgotten, I arrived in Aerschot, as my regiment's billeting officer, with the Staff of the 8th Infantry Brigade. It was between three and four in the afternoon when we rode into the place. Of German troops, the 3rd Infantry Division had already passed through in batches, and already the narrow and angular little town was full of commissariat, artillery, and ammunition columns. We had been about three hours in the little town, when suddenly violent firing began. The firing seemed to come from the north-west exit of the village.

Immediately afterwards the Medical Corps, I believe it to have been the 2nd (including a certain Dr. Wild) as well as a section of the supplies of the 3rd Division, came towards us, under incessant fire, and informed us they had been fired upon. A Belgian battalion was supposed to be advancing. With difficulty we managed to make headway with our machine-gun company, and by taking a seat on the last waggon, with the company leader, Captain Schleusener, I proceeded in the direction of the alleged advance of the

Belgian force. About three kilometres before the town, near a windmill, we discovered that there was no enemy at hand. I thereupon returned on foot to Aerschot. We had already, during our march out of the town, heard continuous firing. Entering Aerschot by a bridge, I noticed that our troops were being fired upon from the houses. Shots came sometimes from the upper floors, sometimes from the cellars, and one could distinctly tell by the sound that both rifles and machine-guns were being used. The situation developed in such a manner that our own men had to seek cover with their backs to the houses, and as soon as a marksman was observed in the opposite house he was fired at. I saw several of our men wounded by these shots, and the bullets also whistled round my head. Near the town hall, which was to have been converted into an artillery depot, stood a captain of the 140th Infantry Regiment, who continuously ordered the bugles to sound the "Cease fire." Evidently the officer first wished to stop the firing of our men in order to be able to settle upon a plan of action. Brigade Adjutant Schwarz, since fallen, met me in the market-place and informed me that the officer commanding the 8th Brigade, Colonel Stenger, had been shot. I immediately hurried to the Mayor's billets, which were situated in the Mayor's house in the market-place, and there found Colonel Stenger dead on his bed. The orderly officer present, Lieutenant Beyersdorff, Dragoon Regiment No. 12, told me he had found the Colonel in the room, about three metres from the window, lying dead on his face. On the spot one distinctly saw two pools of blood, and I also noticed that the wall opposite the window was marked by many bullet-holes, and the window-panes were shot through. I saw a wound on the corpse stretching from the right eye to the right ear, and also a shot through the right breast, but of the latter one saw only the broad hole caused by the bullet. The regimental doctor of the 140th Infantry Regiment, who on the following day opened the corpse in my presence, found in the passage of the breast wound a shapeless lead bullet, which had broken up on coming in contact with a hard substance. The bullet had torn a main artery and caused immediate death. According to the evidence of the doctor, the facial wound was not caused by a shot from an infantry rifle. Owing to the vertical passage of the wound, and the nature of the shot, there can be no doubt that the Colonel was not fired at from the street, but by an inhabitant of the opposite house. To judge by the calibre of the breast bullet, the

weapon used must have been a muzzle-loader. The bullet taken from the body I gave into the keeping of the paymaster of the 2nd Battalion, 49th Infantry Regiment. The paymaster's name is Wirowski. The revolt was then systematically suppressed, and the houses searched for francs-tireurs. In this way about forty civilians, amongst whom were several—at least two—priests, were found with weapons in their hands. According to my observations and to the events described, there is no doubt that a systematic plan of attack on the German troops had been adopted by the Belgian civilians. The regimental adjutant, Lieutenant v. Oppen, was also witness to the events, and will be able to make a statement regarding them. The Captain of the II. Corps of Military Police, named Karge, was also present.

Read over, approved, signed.

Signed : FOLZ.

Legally sworn.

Signed : BERNHARDS.

Signed : HOFMANN.

Supplement to the Record of November 15th, 1914.

APPENDIX B.—ANDENNE

App. B.

War Office.

Military Court of Inquiry into the Violation of the Laws of War.

BELGIAN CIVILIAN UPRISING IN ANDENNE ON
AUGUST 20TH, 1914.

Summary Report.

Andenne is a small industrial Belgian town of about 8000 inhabitants, situated on the southern bank of the Meuse, half-way between the fortresses of Huy and Namur, in the province of Namur. During their advance, the German troops had constantly come into contact with Andenne. About the 20th August 1914 two infantry regiments and a Jäger Battalion marched from Coutisse towards Andenne, towards the north, in order to be able to cross the pontoon bridge there over the Meuse. They were commanded by Major-General Freiherr von Langermann and Erlencamp; Major von Polentz was at the head of one of the infantry battalions.

The inhabitants of Andenne received the passing troops in an apparently friendly manner; they gave them water, and the soldiers believed that in the quiet of the evening they would be able to pass peaceably through Andenne and reach the Meuse, flowing northwards. But scarcely had the head of the marching column arrived at the bridge over the Meuse, when the peaceful picture presented by the town suddenly changed, and the inhabitants showed their true character, a thing which unfortunately occurred only too often in Belgium. This time their deeds were truly devilish. Bells pealed from the church tower; as they ceased, the citizens, recently so helpful, suddenly disappeared from the streets, and bolted their doors and let down the shutters. A mad fire from all sides was poured upon the unsuspecting troops. In the town they shot from the cellars and from specially prepared openings in the roofs,

and bombs and hand-grenades were hurled down on the defenceless men who happened to be nearest. Machine-guns sent their murderous bullets through the soldiers' ranks. At the same time, hidden francs-tireurs began firing from the heights opposite the end of the bridge over the Meuse. Besides which men and women in wild fury poured boiling water from the half-open windows upon the German troops. Of Major v. Polentz's men alone over one hundred were scalded. Against this inhumanity the troops had to defend themselves energetically. They pressed into the houses and shot down the cowardly aggressors in their hiding-places. The houses which had served them for cover were set on fire. About two hundred inhabitants lost their lives in these fights.

These are the details of the street-fighting in Andenne, which are supplemented by the official report attached, made by Major-General von Langermann and Erlencamp; and also by the evidence on oath of Major von Polentz, as well as of Rifleman Roleff—all eye-witnesses—who gave evidence without prejudice; and by the report of Lieutenant Goetze.

BERLIN, *the 29th of September 1915.*

Military Court of Inquiry into the Violation of the Laws of War.

Signed: Major BAUER.

Signed: Dr. WAGNER, Member of the Supreme Court of Judicature.

B. App. I.

BERLIN, *January 21st, 1915.*

Official Report.

On the afternoon of August 20, 1914, I received the command to march from Coutisse to Andenne with the brigade (1st and 2nd Guard Reserve Regiment and Guard Reserve Jäger Battalion); from there we were to cross the pontoon bridge over the Meuse. In the industrial town of Andenne we had to call a halt of about ten minutes, during which the inhabitants standing before their houses in the narrow streets willingly gave us water and behaved in a remarkably friendly manner. Just as I had crossed the bridge at the head of 1st Guard Reserve Regiment, we heard suddenly and simultaneously a furious rifle-fire coming from

the heights opposite the bridge and from the houses. Not only men fired at us, but also—as I was informed—isolated women. Our men pressed into the houses from which the firing proceeded, and shot down the armed inhabitants. By my order the houses, from which firing had proceeded, were set alight. These measures were helpful; the rifle-fire gradually decreased and finally ceased altogether, but was renewed later against the troops that followed my brigade. Marvellous to relate, our losses were insignificant; the francs-tireurs had aimed badly. I saw no single French or Belgian soldier in the town or in the surrounding neighbourhood. The fire directed on us came solely from the civil population. Later it was reported to us that a document had been found—on the next day, I believe—with the Commandant of the town, showing the attack of the civil population to have been minutely planned, with a fixed hour for its commencement. Shortly before the prearranged time all the inhabitants, who had met us with such friendliness in the streets, locked themselves in, and at the given minute the fire was opened upon us. No cruelties of any sort were practised by the troops under my command, and all inhabitants found without weapons in the streets were especially spared; if they seemed to us to be of a suspicious character they were arrested.

Signed: Freiherr VON LANGERMANN.

B. App. 2.

BERLIN, *November 21st*, 1914.

War Office.

Military Court of Inquiry into the Violation of Military Law.

Present at the Court:

Dr. WAGNER, as Judge.

Secretary to the Court, PFITZNER.

There appeared as witness Major von Polentz, of the above-named place, who declared:

As to Person: My name is Fredrich von Polentz. I am 42 years of age; Protestant; Major in the 3rd Foot Guards Regiment.

As to Case: In the latter half of August, as I marched through Belgium in command of the battalion of the 2nd Reserve Guard Regiment, I frequently saw the Belgian civil population take an active part in hostilities against our troops; in particular, they fired upon us. I draw atten-

tion to the fact that this happened in Birdontige, near Shavelot, as well as in Evelette, south of Andenne. The most serious case, however, occurred in Andenne (between Liège and Namur).

After we had marched in here, the bells from the church-tower suddenly began to ring out a signal at about 6.30 in the evening. Thereupon iron shutters were let down in all the houses; the inhabitants, who until then had been standing in the streets, vanished; and from different sides firing began on my troops, especially from the cellars and from openings in the roofs which the inhabitants had made by removing the tiles. Also, from many houses boiling water was poured over our men. In consequence, some bitter street-fighting ensued between the civil population and my troops, who had given no cause for this treacherous attack. That these measures were well prepared, and carried out by the whole population of the town of Andenne and its suburbs, is proved by the fact that 100—one hundred—of my men were hurt by scalding alone.

Also the marching column of troops following me was attacked by the civil population of Andenne, as well as those sections of the marching column preceding me, who were fired upon.

In Lenze, north of Namur, I was met by the priest of the place, who at first assured me in a friendly manner, on his word of honour, that no hostilities of any sort need be expected from the people in his parish. In spite of this, shots from six or eight houses were heard fifteen minutes later. These shots could only have come from the civil population, as the regular enemy troops had long since been pressed back.

Read over, approved, signed.

Signed: VON POLENTZ.

The witnesses were thereupon sworn as above.

Signed: WAGNER. Signed: PFITZNER.

B. App. 3.

BERLIN, *December 5th, 1915.*

Present:

President of the Military Court, STACK.

Secretary to the Military Court, Non-commissioned
Officer WESSELMANN.

There appeared as witness Rifleman Hugo Roleff, of the

11th Company of the 2nd Reserve Guards Regiment, and after his attention had been called to the importance of the oath, he made the following statement :

As to Person : My name is Hugo Roleff. I am 28 years of age ; Protestant Reformed Church ; by profession a ribbon-weaver, living in Elberfeld, Osterbaum 9.

As to Case : I joined the 2nd Company of the 2nd Reserve Guards Regiment as private, and went with the regiment to the front.

On August 20, 1914, the first half of the 2nd Company was to serve as cover to the Artillery Munition Column. We arrived at Andenne in the evening. As everything was quiet we rode into the town. All went smoothly through a few streets, but as we were going to turn into the main street, bells were suddenly heard. At the same time we received a murderous rifle-fire out of all the windows and from all sides. Hand-bombs and hand-grenades were used against us, and machine-guns were also employed. I noticed this as I lay wounded in the street, and also that regular shots came from the cellar windows, and that the characteristic noise of machine-guns could be heard.

Our horses broke loose, our waggon was struck by a hand-grenade, the horses were thrown to the ground, the waggon was overturned, and, the following waggons driving into it, a wild confusion ensued. As the waggon was overthrown, I fell out and crushed the calves of my legs. We immediately returned the fire, for it had been recommended to us, and we were prepared in consequence. Before the munition column could be set in order again and proceed, we had to endure half an hour of continuous firing, until the defence guard came to our help.

On account of my wound I was just taken to the market-place, and then lay for two days in the house of a doctor, who was, however, absent. After that I was cared for in the schoolhouse, which had been turned into a hospital. Some German families, who had lived in this place for a considerable time, looked after us here. These told us that the whole attack had been planned, and that the clergy had issued directions from the pulpits.

Read over, approved, signed.

Signed : HUGO ROLEFF.

Signed : STACK.

Signed : RUDOLF WESSELMANN.

B. App. 4.

NAMUR, *January 8th*, 1915.REPORT of the Inquiry into the alleged atrocities in
Andenne.

At the command of the Imperial Military Government of Namur I went, on the 5th inst., to Andenne, in order to obtain information from the Mayor Emile de Jaer regarding the atrocities of war that were said to have occurred in Andenne. He only knew that on August 20, at 7 o'clock in the evening, a murderous fire was opened on our troops, who wanted to cross the bridge leading to Seilles. At my request he handed me over a list of those who had been shot; it contained 234 names. On examining this list it turned out that only 196 persons had been shot without any doubt whatsoever; 28 were missing. I instructed the Mayor to procure a number of trustworthy witnesses, who in his opinion were in a position to give information concerning the events.

Thereupon appeared :

1. Hermann Frerand, Place du Perron, merchant. He could give no evidence, as he had been a prisoner from August 21 to 23.

2. Alexander Wery, Rue Brun, merchant. He declared that he had kept in hiding during the days of agitation. He therefore knows nothing, but only heard reports.

3. Léon Lambert, Place des Tilleuls, merchant. He knows nothing of the events, as he had been in hiding in his cellar.

4. Florent Sebrun, factory director, Rue Wouters. On the evening of August 20, at 7 o'clock, he was in the garden of his brother-in-law, Dr. Melin, Grande Rue. A large aeroplane appeared at a great height, and the German troops immediately fired at it. Suddenly fire opened from all sides of the town.

5. Madame Ermine Blanchart, Rue de l'Hôtel de Ville, will state personal grievances, but knows nothing of the events.

6. Ernest Thys, Rue Brun, merchant, hid himself for five days in his cellar.

7. Dr. Isidor Loroy, Rue de l'Industrie, only knows that the Mayor, Camus, who was a doctor in private life, was shot in the Rue du Pont on August 20, after having spent the night as a hostage, together with the priest, in

the town hall. He was released towards the morning. Loroy only knows of the events by report.

8. Pane Tillmann, Rue Brun, chemist, had been wounded since August 21, and can give no evidence.

9. Louis Cartiaux, Place du Chapitre, priest, was arrested on August 19, at 9 o'clock in the evening, and taken to the town hall. Here he met the Mayor, Camus, who had already been taken as hostage. Cartiaux was, however, released during the night. About the alleged events he could only state that a detachment of troops had already made an inquiry in September, and that three suspected persons had been arrested, who were, however, not inhabitants of Andenne. He did not know what had happened to these three people. He refers the matter of the boy who was supposed to have been shot because he carried a cartridge on his person, to George Belin, schoolmaster, Rue Bertrand. The latter had told him that a boy was going to be shot because he wore some lead as a charm that had been given him by his brother.

10. Achilles Rambeaux, Rue Bertrand, assistant to a notary, has nothing to report, as he had kept in hiding in his cellar.

11. G. Belin, the schoolmaster referred to in No. 9, was heard at Namur on the morning of January 6. He was asked if he was prepared to swear to his alleged statement concerning the shooting of a boy. He denied ever having made such a statement in the most vigorous terms. Pressure being brought to bear, he admits further that in Andenne the opinion is held that a Belgian soldier of the 8th Line Infantry Regiment stayed behind, put on civilian clothes, and actually fired on the German troops. This soldier was universally known to the townsfolk by the nickname of "Le Petit Roux," and was Flemish. Another Flemish soldier, also in mufti, had been in his company. Both had deserted from their detachments.

Furthermore all the above-named persons declared unanimously that another doctor (not Mayor Camus), aged 64 years, had not been shot. Those rumours were also false which gave out that seven members of one family had been killed by German bullets; this matter concerned two families and, moreover, two brothers of the name of Savin.

That a number of people had been brought out from the cellars, threatened with death, and placed in front of the machine-guns, in case of firing from the nearest barri-

cases, could be proved from no side. It was universally admitted, however, that rumours went round the town, including those that gave out that inhabitants had been killed with blows from an axe.

In Andenne itself 25 houses were destroyed, 12 in the suburb Peau d'Eau, together therefore 37, while Andenne contained 1900 houses. Not a single factory was destroyed or burnt. Naturally, as is unavoidable in street-fighting, many houses were damaged by gun-shots, but not so severely as to cause the owners any considerable losses. It is true that a large number of window-panes were shattered when the cannon fired from the market-place.

According to the statement of the schoolmaster Belin, the population of Andenne is rather a simple-minded one, which accounts for the incredible rumours abroad in the town.

Signed: GOETZE, Lieutenant.

APPENDIX C.—DINANT

App. C.

War Office.

Military Court of Inquiry into the Violation of the Laws of War.

BELGIAN CIVILIAN WARFARE IN DINANT FROM
AUGUST 21ST TO AUGUST 24TH, 1914.

Summary Report.

Immediately after crossing the Belgian frontier the XII. Army Corps had difficulties with the civilian population of Belgium, which reached their climax in and around Dinant. For the advance of the Army Corps Dinant had especial importance, since here it was that the crossing of the Meuse was to take place. The town with its suburbs, Leffe and Les Rivages on the right bank of the Meuse, and Neffe, St. Médard, and Bouvignes on the left bank, lies along the river in a deep section of the valley. Both banks rise up in terraces, steep and frequently rocky, to a height of some 70 metres, the right bank somewhat higher than the left. On the right bank about the centre of the town stands the fortress, about 100 metres in height. Close by, to the north, the high road from Sorinnes enters the town. Two further approaches from the east are found in the deep-cut flanking valleys which come to an end in Leffe and Les Rivages.

On August 15th, 1914, the operations of the German cavalry, in which among others Jäger Battalion No. 12 took part, led to the temporary occupation of the right bank of the Meuse. Owing to superior enemy forces, it was again evacuated on the same day; numerous dead and some wounded were left behind.

On August 17th the enemy forces on the left bank of the Meuse withdrew. From this time onward Dinant, Leffe, and Les Rivages were free from the presence of any regular enemy troops.

On August 21st the XII. (1st Royal Saxon) Army Corps engaged in operations before Dinant. The 2nd Battalion of Rifle (Fusilier) Regiment No. 108, together with a company of pioneers, undertook on the evening of this day a strong reconnaissance towards Dinant. As the first houses on the road coming from Sorinnes were reached, the sound of a signal shot was suddenly heard. The next moment there came a rattle of musketry from all sides. Shots were fired from all the houses, and the slopes were lighted up with the flashes. The houses were firmly barricaded, so that rifle-butts, hatchets, and hand-grenades had to be used to force an entrance. Trip-wires were drawn across the road. Numerous wounds were inflicted on our men by the discharge of small shot. They were even pelted with stones (Apps. 2-5).

The battalion penetrated as far as the bridge, ascertained that this was occupied by enemy troops, and then returned, being continually fired upon from the houses. Under the necessity of haste it was impossible to clear the place thoroughly of francs-tireurs. To some extent attempts were made to master them by setting on fire the houses from which the firing took place.

It was evident that this assault by the inhabitants on the reconnoitring detachment took place according to plan, that people known in Dinant were aware of the intended operation, and that for this purpose well-prepared measures had been adopted. Among other things indicating this preparation was the fact that numerous houses and walls had been provided with loopholes.

In view of these experiences we naturally assumed that in any further operations the civilian population would also take part in the fighting. Nevertheless, all anticipations in this direction were far exceeded through the extent and obstinacy of the people's participation in the fight.

On August the 23rd the left bank of the Meuse was to be taken by the XII. Corps. After preliminary artillery fire the infantry advanced in the direction of Dinant—the 32nd Infantry Division to the north, the 23rd Infantry Division to the south. On the left wing the (Guards) Grenadier Regiment No. 100 forced its way into the town, on the right of them Infantry Regiment No. 180, and in close conjunction Rifle Regiment No. 108, whilst in the Leffe valley Infantry Regiment No. 178 reached Leffe.

The fighting on August 23rd, accompanied by comparatively slight loss, resulted in the dislodgement of the

enemy forces from the heights of the left bank of the Meuse. On the other hand, the losses which the hostile civil population of Dinant and its outskirts had inflicted on the XII. Corps on August 23rd, and the effort which was necessary to break down the completely organised resistance of the civil population on August 23rd and the following days were very considerable. Once more, as on August 21st, people in Dinant and the neighbourhood had apparently secured information that a movement of the corps was imminent, and they were accordingly prepared. The 1st Battalion of the Guards Regiment, approaching from Herbuchenne, were assailed by a vigorous fire from the houses and alleys. Bit by bit, every house had to be fought for singly with the use of hand-grenades in order to dislodge from their hiding-places the inhabitants who had stowed themselves away from cellar to attic and who were making use of every possible kind of weapon. Those who were caught with weapons in their hands were immediately shot, while suspected persons were led off as hostages to the town gaol.

Despite these measures the Grenadier Guards were still further fired on by the population, and thereby suffered considerable losses, especially in officers. Here, among others, fell Lieutenant Treusch von Buttlar, and Captain Legler was severely wounded.

In the meantime, a great part of the place had been consumed by fire, caused partly by the use of hand-grenades, partly by the French and German artillery fire. All this, however, was not sufficient to convince the population of the uselessness and danger of participating in the fighting.

Until the evening, even on the march to the crossing-place at Les Rivages, the regiment was fired on from the houses (Apps. 1, 5, 7, 10, 11).

The Regiments No. 108 and No. 182 had similar experiences when they, to the north of the Guards Regiment, reached Dinant. From the moment they reached the most easterly houses they came under fire. The farm of Malais was stormed by the 1st Battalion of the Rifles (Fusilier) Regiment No. 108, and the whole of the francs-tireurs who made a stand there were destroyed. Fighting hotly for every house, our men pressed forward in the direction of the market, all the time expecting to be fired at by invisible foes from cellars, caves, and hill-sides. It was here that, among others, Major Lommatzsch of Infantry Regiment No. 182 was fatally wounded by the bullets of two civilians

from the windows of a house. They even fired down from the cathedral (Apps. 12, 14, 18). Already in the course of the forenoon the Commanding Officer of the 46th Brigade recognised that it was impossible, without artillery bombardment, to gain the mastery over the fanatical population.

The troops were, however, too much involved in house-to-house fighting to be immediately withdrawn. It was only after 3 o'clock in the afternoon that it was possible to withdraw the troops to the heights north of Dinant, so that the artillery, in particular, sections of Field Artillery Regiment No. 12 and a battery of heavy artillery, could now bring Dinant, from Leffe, more effectually under their fire (Apps. 12, 19, 21).

In the early morning Infantry Regiment No. 178 had set out from Thynes on their march towards Leffe, making use of the Leffe valley road. Already before reaching Leffe the advance company was fired on from detached holdings as well as from the steep hill slopes (partially wooded), which stretched along on the right and the left of the road. This harassing fire was directed with particular activity from the paper-mill situated on the left of the road and the adjacent houses. For this reason, the slopes were searched for francs-tireurs, later on with the co-operation of the 11th Jägers, and the barricaded houses forcibly opened and cleared of inhabitants. All those caught with weapons in their hands were shot. More and more vigorously the advancing regiment was attacked by the inhabitants concealed in the houses. There was firing from all the houses, although in many of them no one was found. The marksmen crept into their hiding-places in order to leave them later on and renew their firing on the German troops. This made it necessary to set on fire a number of houses in order to drive out the marksmen from their places of concealment. A number of inhabitants were marched off as hostages to the monastery (Apps. 22-32).

The 9th Company of the 178th Regiment occupied the garden of a villa along the Meuse and a factory which fronted the enemy on the left bank of the Meuse (Apps. 25, 30, 79).

Here again they were fired on; the villa and the factory were therefore cleared of their occupants. The proprietor and a large number of the workpeople were fetched out of the cellar of the factory and shot, whilst the women and children found there were lodged in the monastery.

Practically for the whole of the day the 178th Regiment

carried on a hot fight with the population of Leffe, and suffered severe losses (Apps. 25, 26).

Infantry Regiment No. 103, which reached Leffe towards evening, was also fired on by francs-tireurs from the slopes of the Leffe ravine as well as from the houses, and defended itself in the same way by disarming and shooting the men found with arms, and by burning down single houses which could not otherwise be cleared (Apps. 33, 36).

In the evening it became quiet in Leffe. The assumption, however, that nothing more was to be feared from the inhabitants proved to be erroneous. After nightfall the left-wing outpost of the 2nd Battalion of Infantry Regiment No. 178, posted as a guard against attack along the Meuse, was assailed by a large body of the inhabitants to the south of the barracks of the 13th Belgian Infantry Regiment. A detachment of reinforcements cleared this locality and the adjoining district, being continually fired upon from the houses by francs-tireurs. A large number of persons caught with weapons in their hands were shot (Apps. 22, 24, 29).

In the night, towards 12 o'clock, the Detachment of Zeschau came from Houx by the northern entrance to Leffe. Scarcely had they reached the first houses when the foremost company received a brisk rifle fire. The houses, the doors of which were barred and the windows barricaded with furniture and beds, were stormed and set on fire as a security against francs-tireurs, who were not otherwise to be caught. The men found in them who were carrying arms were shot (App. 38).

From the factory above mentioned also the detachment, especially the Machine-Gun Company of Infantry Regiment No. 177, was briskly and continuously fired on. The shooting of the francs-tireurs only died out when the factory was set on fire (Apps. 38, 64, 65).

Whilst these events were taking place in the north of Dinant, in the south, also at Les Rivages and Anseremme, sanguinary fighting with the civil population had taken place. Late in the afternoon, Grenadier Regiment No. 101 with the 3rd Field Pioneer Company reached Les Rivages by the road which ends there, in order to cross the Meuse. The pioneers, with pontoon waggons for bridge-building, had already entered the section of Dinant occupied by the Guards Regiment.

On account of the fire which they received from the houses, and of which they could not get the mastery, despite all attempts in conjunction with the infantry to clear the

houses, they had been obliged to withdraw to the heights.

The village of Les Rivages at first appeared as if deserted. On the opposite bank the houses in Neffe, struck by our artillery fire, burst into flames (Apps. 20, 39, 44).

The crossing began at once. First the 2nd, then the 11th Company of Grenadier Regiment No. 101, gained the left bank and advanced to the attack in extended order against the enemy infantry on the western heights of the river-bank. The 11th Company received about five consecutive discharges of small shot from a house in the narrow alley through which they had passed in Neffe. The barred house was broken open, and the francs-tireurs, a man and two women, were shot.

Directly after this the company, led by the company commander, reached the railway embankment. At this spot a waterway led through the embankment; before the culvert lay a civilian with a sort of carbine, shot dead; in the dark culvert people were seen. From the top of the embankment the officer advancing with another company shouted down that he had been shot at from the culvert. The company commander called out loudly, "Sortez, on ne vous fera rien" ("Come out; nothing will be done to you"). No answer came from the culvert, neither did the people leave it who were concealed there. Thereupon a number of volleys were fired into the culvert. The Grenadiers continued their advance over the railway embankment and up the heights. The detachment left behind for clearing and guarding the culvert brought out about thirty-five to forty civilians, men, half-grown lads, women, and children, and with them about eight to ten rifles, not sporting-guns, but apparently military rifles. A portion of the civilians had been killed or wounded by the fire of the Grenadiers (App. 40). In the meantime everything had still remained quiet in Les Rivages. The first person who showed himself was a lame man. He described himself as the Mayor, and protested that the inhabitants of Les Rivages were peaceable in contrast to those of Neffe. He was therefore sent over to Neffe for the purpose of warning the population in that place to keep the peace, as in that case nothing would happen to them. The commanding officer of Grenadier Regiment No. 101 forcibly collected a large number of persons from the nearest houses in order to hold them as hostages against the hostile action of the populace. It was made clear to them that their lives were guarantee

for the safety of the troops. The causes for this measure were the notorious hostility of the population of Dinant, and the report just made by an officer that, close by, to the south of Les Rivages, towards Anseremme, shots had been fired from the houses. The men were placed against a garden wall to the left of the place of crossing, the women and children who came with them out of the houses, somewhat farther down the river.

The bridge-building and crossing were in progress. When the bridge had been built out about 40 metres alike from the houses of Les Rivages and from the rocky slopes close to the south of the "Rocher Bayard," francs-tireurs began to direct a hot fire upon the Grenadiers, who were waiting in close order for crossing, and on the working pioneers. The greatest consternation and confusion ensued. In consequence of this the male hostages assembled by the garden wall were shot.

The shooting of the hostages, evidently visible to the unseen francs-tireurs, resulted in the cessation of the firing and a continuation of the bridge-building (Apps. 46, 48).

Partly during the night of August 24th and partly on the next day the troops of the Corps were able to cross the Meuse at Les Rivages and Neffe. On August 25th the rear portions of the Corps also crossed the Meuse.

In no way, however, had the severe measures taken on August 23rd put any final stop to the excesses of the francs-tireurs. On the two following days also, columns passing through and single persons were shot at from the slopes and from the houses, although no longer to the same extent as on August 23rd. This necessarily led again to retaliatory measures, to the shooting of individual inhabitants caught in the act, and to the artillery bombardment of buildings which were occupied by francs-tireurs. The former measures were taken on August 24th in Neffe and St. Médard, and the latter on August 24th and 25th in all parts of the town (Apps. 49, 50). If one reviews the whole of the resistance offered to the German troops by the population of Dinant and its suburbs, the first thing that strikes one is its systematic organisation (Apps. 12, 25, 30).

Already before the 23rd of August it was known to the inhabitants of the neighbourhood of Dinant that in this place there existed an organisation for treacherous attack on the German troops (Apps. 12, 51).

It was known that the surprise attacks upon the German troops by the local inhabitants, which took place at Sorinnes

and other places lying to the east of the Meuse, were partly to be traced to emissaries from Dinant.

This organised effort was distinguished by its careful preparation and by the extent of its activities.

The houses were placed in a state of defence by the barricading of the doors and windows, by the construction of loopholes, and by the accumulation of a large supply of firearms and ammunition in the houses. The existence of large stocks of ammunition was proved in one way by the repeated explosions in the burning houses. In the night operations of August 21st trip-wires were drawn across the street (Apps. 3, 9, 10, 11, 18, 26, 28, 29, 31, 38, 49, 50, 52, 53, 70, 81).

From the fact that the firearms were not only in part sporting-guns and revolvers, but were partly machine-guns and Belgian military rifles (Apps. 2, 25), one may conclude that the movement had the support of the Belgian Government. The whole of Dinant with its suburbs on the right and left bank of the Meuse was prepared in the same way. Everywhere, in Leffe, in Les Rivages, in Neffe, one found the barricading of the houses, the loopholes, and the presence of weapons. At the same time it is expressly pointed out in the reports of the fighting that the belligerent Belgian civilians did not wear any kind of military badge (Apps. 4-7, 12, 15, 22, 24, 25, 31). The whole population was imbued with the same purpose—to hold up the German advance. If, by taking part in the dangers into which it knowingly ventured, some portion of it perished, it has only itself to blame. *Bolegra*

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This resistance offered to our troops was extremely obstinate. It was carried on with every kind of weapon, with military rifles and sporting-guns, with bullets and shot, with revolvers, with knives, with stones (Apps. 5, 10, 11, 25-28, 31, 35, 38, 43, 54, 55, 57, 58, 63, 67, 81). All grades, even the clergy (App. 18), took part in it, men and women, old men and children (Apps. 5, 6, 10, 12, 14, 18, 28, 29, 35, 41, 44, 54, 56, 59, 63). From the cellars of burning houses firing was still kept up. At the very moment when he was being shot by martial law, a franc-tireur discharged a revolver, which he had kept concealed, at the firing-party (App. 5). With treachery and cunning (Apps. 28, 32, 43, 44, 50, 68), themselves invisible from the outside, they fired from loopholes in the rear of passing detachments and on single officers. They disappeared before the advancing Germans (Apps. 12, 37, 64) through back ways into the

caves and subterranean passages, to continue their work of assassination in some other place.

Some male francs-tireurs had put on women's clothing (Apps. 64, 65). The Geneva badge was misused by individuals and in the case of buildings in order, under its protection, to cause injury to the Germans (Apps. 9, 16-18, 32, 56, 66-70).

Even the wounded who were being transported to the rear, as well as hospital orderlies, were shot at from the houses (Apps. 71, 72).

The fanaticism of the population found its most revolting expression in the cruel murder of sleeping men, in the mutilation of the fallen, and in the burning of wounded prisoners who were bound up with wire for this purpose (Apps. 56, 59, 61, 67, 73-78).

In judging of the attitude taken by the troops of the XII. Corps in the face of the action of the civil population, which was hostile to the last degree and employed the most reprehensible methods, we must remember that the tactical aim of the XII. Corps was the rapid passage over the Meuse and the clearing of the enemy from the left bank. The speedy suppression of the resistance of the inhabitants, which was directly opposed to this aim, was a military necessity to be secured by all possible means. From this point of view, the bombardment of the town, which was taking an active part in the fighting, and the burning of the houses occupied by the francs-tireurs, as well as the shooting of inhabitants caught with weapons in their hands, were all justified.

In the same way, the shooting of the hostages in various localities was also justified. The troops fighting in the town found themselves in the direst extremity, inasmuch as they were under the artillery, machine-gun, and rifle fire of the regular troops posted on the left bank of the Meuse, and were at the same time being fired at in the rear and on the flanks by the inhabitants. The hostages were taken as security in order to put a stop to the conduct of the francs-tireurs. Despite this, and since the population continued, as before, to inflict losses on the struggling troops, the shooting of the hostages was carried out; otherwise, the holding of the hostages would have only implied an empty threat. Their execution was all the more justified, since, with the general participation of the populace in the fighting, it was hardly a case of innocent victims.

In view of the military objective mentioned above and the serious straits in which the troops found themselves.

treacherously attacked as they were from the rear, such action on our part could not be avoided.

The lives of women and children were, on principle, spared, so long as they were not caught in the act, or it was not a case of self-defence against their attacks (Apps. 5, 6, 25, 26, 28, 31, 35, 41, 47, 79). The fact that, despite this, women and children were killed and wounded is intelligible from the prevailing circumstances.

Belgium
They were struck partly by shots coming from the enemy on the left bank of the Meuse and partly by stray shots during the house and street fighting (App. 10). In the shooting of the hostages at Les Rivages a few women and children were also hit. This happened in the case of some who, contrary to the arrangements made, had left their station which was apart from the male hostages, and had crowded together with the latter (Apps. 45, 46). That the troops of the XII. Corps did not show themselves harsh or cruel is proved by numerous cases in which they exhibited, under the existing circumstances, a solicitude, deserving special recognition, for women, old men, and children (Apps. 52, 53, 55, 58, 80-86). A number of women confined to their beds on account of child-birth were carried from houses in the danger zone to a sheltered place and laid on mattresses near our wounded (App. 5). Wounded inhabitants—the wounds mostly originated from the enemy's fire—were bandaged and given over to conscientious medical treatment (Apps. 7, 10, 29, 44, 47, 50-52, 68, 86, 87). Little children found alone were handed over to female care (Apps. 47, 51). The large number of women and children from burning Dinant who were in Les Rivages on the night of August 24th were sheltered in a house and provided with food and drink (Apps. 45, 51). In the morning they all received coffee from the field-kitchen of the Guards Regiment.

The account given by the surviving inhabitants of Dinant about the fighting for their town, and the statements thereto appended by the Belgian Commission of Inquiry, as well as those of the hostile Press, are marked by their complete silence as regards the part taken by the populace in the fighting against our troops, and, with intentional exaggeration, solely record what our troops have done to suppress this participation in the fighting. In face of what positively occurred, it is a malicious distortion of the actual facts to maintain that, because orders had been issued to give up all weapons, the inhabitants did not fire.

Without doubt it is deeply regrettable that, in consequence of the events of August 23rd and 24th, the flourishing town of Dinant with its suburbs was burnt and laid in ruins and a great number of human lives were destroyed. The responsibility for this lies ~~not~~ on the German Army, ~~but only on the population.~~ The inhabitants collectively engaged in conflict with the German troops contrary to international law and in a fanatical and treacherous manner, and forced our troops to take those counter-measures required for the purposes of war.

Had the population held aloof from armed resistance and open participation in the fighting, scarcely any injury would have been incurred by them, as regards life or property, despite the hazardous position in which they were placed by reason of military operations.

BERLIN, *April 11th, 1915.*

Military Department of Investigation into the Violation of the Laws of War.

Signed: Major BAUER.

Signed: Councillor of the Supreme Court of Judicature, Dr. WAGNER.

C. App. 1.

EXTRACT from the military diary of the General Officer commanding the XII. (1st Royal Saxon) Army Corps.

August 22nd, 1914.

On August 22nd the Imperial Headquarters remained at the Château of Taviet. The day was occupied in carrying on reconnaissances in the manner directed. Towards 3 o'clock in the forenoon the report came through a General Staff-Officer sent in advance that the 2nd Battalion of Rifle Regiment No. 108 had succeeded by a night attack in throwing the enemy back across the Meuse at Dinant. Here the inhabitants had once more taken part in the fighting, in some cases with shot-guns.

August 23rd, 1914.

The General's Staff reached the western outlet of Sorinnes at 4 a.m. The 23rd Infantry Division, present at the same point, immediately reported its readiness for opening fire; the 32nd Infantry Division, communica-

tion with which was at first lacking, did not report until 5.40 a.m. At 5.55 a.m. the Commander-in-Chief gave the order to fire, which, at first, could not be complied with on account of the thick weather.

In virtue of the command to open fire, the General in command gave the order: "The divisions to occupy the bank on this side of the Meuse with strong lines of riflemen, to enable the slopes on the opposite side to be taken under an effective infantry fire." As the weather, towards 6 a.m., permitted regular artillery fire to be delivered, it was observed that the enemy only replied weakly. For this reason the General in command gave the order at 6.30 a.m. that his reserve troops were to follow their divisions, as he expected a more rapid advance of the divisions towards the Meuse. For the same reason the General Staff proceeded at 8 a.m. to Gemechenne.

The next reports received up to 8.30 a.m., as well as a reconnaissance undertaken by Captain Bahrdt and 1st Lieutenant Count Schall in the district of Dinant, seemed to contradict this assumption. At 8.50 a.m. a report arrived from Colonel Francke, Infantry Regiment No. 180, which seemed to confirm the original opinion of the General in command. A communication by the Oberquartiermeister with reference to the observation of an army airman coincided also with this opinion. At the same time the Commanding General had directed that the order for the crossing of the Meuse should be made out.

In the meantime, the troops had also advanced into new positions in the direction of the Meuse. It seemed to be more and more certain that the enemy had to all intents and purposes withdrawn, and only continued to offer any serious resistance at the presumed crossing-places, especially at Houx.

Although 1st Lieutenant Berckmüller and 1st Lieutenant Count Schall reported at 10.15 a.m. that on a renewed reconnaissance near Dinant they had met with brisk shrapnel-fire, the Army Corps order to cross the Meuse was given at 10.20 a.m.; for this purpose a half of the bridge-building corps was placed at the disposal of each of the two divisions. For the more rapid suppression of the resistance at Houx, the reserve division of the General in command was given back to the 32nd Infantry Division at 10 a.m.

After the issue of this order, 1st Lieutenant Hasse of General Staff No. 3 arrived and reported that the II. Army

had crossed the Sambre to the west of Namur on August 22nd, so that a serious resistance on the part of the enemy on the Meuse was not to be expected. It was intended to give the XII. Army Corps the direction on Anthée; the XIX. Army Corps, on the other hand, was to be taken over the Meuse to the south of Givet. The possibility of getting into touch on the western bank of the Meuse with the General Command (left wing, II. Army) was immediately communicated to the 32nd Infantry Division.

The opinion, seemingly confirmed by an air report received in the meantime that the Corps would get across the Meuse without serious difficulties, was destined to prove incorrect. The 32nd Infantry Division met with serious opposition at Houx and Leffe, and a similar experience befel the 46th Infantry Brigade in burning Dinant. It was only at the crossing-place of the 45th Infantry Brigade at Les Rivages that everything, at first, appeared to go smoothly, so that the 23rd Infantry Division reported at 12.40 a.m. through Major v. Zeschau that they were able to commence the crossing.

It was to be inferred from the reports in general that the crossing, even if beset with difficulties, could still be effected in the afternoon. A Corps command was therefore issued at 5.10 p.m., which assigned Sommière as the objective of the 32nd Infantry Division, and Onhaye that of the 23rd Infantry Division.

The General Staff, in view of the shortly expected crossing, proceeded from Gemechenne to the bend in the road 1.5 kilometres to the east of Dinant. At 2 p.m. the XIX. Army Corps reported that the 24th Infantry Division was crossing at Lenne with a brigade.

The troops of the Corps had, however, at the crossing-places some very severe fighting with the enemy posted on the west bank of the Meuse. This fighting, through the participation of the inhabitants, assumed an especially severe character. At the moment when the (Guards) Grenadier Regiment No. 100 had lowered the first pontoons into the water, a violent fire was delivered from the adjacent houses. The troops found themselves in the unpleasant position of being fired at by the infantry and artillery of the enemy on the western bank and by the inhabitants in their rear. The most unsatisfactory result of this fight was that a part of the pontoons had been rendered unserviceable by the bombardment.

Subsequently the crossing of the 23rd Infantry Division

proved exceedingly difficult. The material to hand was no longer sufficient for the building of a military bridge. The General in command, who towards 7 p.m. had personally ascertained the position of the 32nd Infantry Division in Leffe, proceeded to the crossing-place of the 23rd Infantry Division, which he reached towards 8 p.m. The position of the Corps at this time was more or less as follows :

In Leffe the 32nd Infantry Division was still fighting for the crossing. At Dinant the 46th Infantry Brigade had been obliged to withdraw to the heights on the eastern bank because it was impossible to remain in the burning town. At Les Rivages a part of the bridge was ready, but the material was not sufficient for its completion, consequently a system of ferrying had to be contrived.

The commander of the 23rd Infantry Division accordingly arranged that a mixed force under Colonel Meister (Grenadier Regiment No. 101, Hussar Regiment No. 20, 1st Section, Field Artillery Regiment No. 12) should first be put across. The (Guards) Grenadier Regiment No. 100 was to follow next, while the remainder of the Army Corps was directed to the bridge of the 32nd Infantry Division at Leffe.

According to an Army Order sent at 7.15 p.m. to the east of Dinant, the pursuit was to be taken up with the available troops on the western bank of Meuse ; XII. Army Corps ; direction, Philippeville.

For correct transcript.

Signed : VON LOEBEN, Captain on the General Staff.

C. App. 2.

EXTRACT from the Report of Rifle (Fusilier) Regiment No. 108 on the fighting in Dinant during the night of the 21st-22nd August 1914.

When the rear of the 2nd Battalion had reached the first houses in Dinant, a signal shot suddenly rang out. The next moment there was a rattle of musketry on all sides. There was firing from all the houses ; from all the slopes, which are honeycombed by cellars and vaults, there came flashes. All the houses were firmly barricaded. An attempt was made to penetrate into the houses. If rifle-butts and hatchets were not adequate, there were pioneers at hand to throw in hand-grenades. Machine-guns had been fixed up in a corner house.

C. App. 3.

EXTRACT from the Report of the 1st Field Company of Pioneer Battalion No. 12 on the reconnaissance in force of August 21st, 1914, carried out with the 2nd Battalion, Rifle (Fusilier) Regiment No. 108.

As soon as the first houses in Dinant were reached, the street-lighting was destroyed; the columns marched closely along by the two rows of houses and arrived as far as the first cross-street. Here the head of the infantry column suddenly received from the corner house on the right a very violent fire, which was immediately returned. Instantly there was firing from all the houses. A violent street-fight then ensued. The pioneers forced the fastened doors open with hatchets and axes, threw hand-grenades into the lower rooms, and set others on fire with the torches which had been in the meantime ignited.

Lieutenant Brink turned into the first side-street on the left. This, however, had been obstructed by trip-wires; from the houses came firing, and stones were thrown.

All at once the company was fired at from the rear, and was obliged to return to the corner of the street. Non-commissioned Officer Grosse, who had been struck by several stones and lay unconscious by the trip-wires, was also brought back.

The 1st Company had fifteen slightly wounded and one severely wounded.

C. App. 4.

DRESDEN, *November 6th*, 1914.

Chief Military Court, Dresden.

On citation Paul Kurt Büchner, Reservist, 1st Field Company, Pioneer Battalion No. 12, in Pirna, appeared as witness and made a statement:

On the night of August 21st, 1914, my company was sent on a reconnaissance towards Dinant in Belgium. The 2nd Battalion, Rifle Regiment No. 108, marched with us. When we had arrived in the town we were briskly shot at from the houses, and, indeed, chiefly with small shot. We stormed a number of houses, and saw that the marksmen were civilians without any military uniform or badge. We then withdrew.

On August 23rd, 1914, the 23rd Division advanced to the attack on Dinant. Here, also, we were vigorously fired

on from the houses, and certainly only by civilians, of whom a number were killed. It was here that I received a shot in the thigh.

I then got into the hospital which had been established in the Château of Sorinnes. In the night the Château of Sorinnes was attacked and fired at by the inhabitants of the place. The inhabitants were, however, beaten off before they could force their way into the château.

Read over, approved, signed.

Signed: KURT BÜCHNER.

The witness was sworn.

Signed: Dr. ILLING, Chief Counsellor of the Military Court.

C. App. 5.

Present :

President of the Court, SCHWEINITZ.

Secretary, LIPS.

NEUFCHATEL, *February 20th, 1915.*

In the examination concerning the events in Dinant the under-mentioned witness appeared and stated :

As to Person: My name is Herbert Max Reinhard Brink. I am 22 years old; Protestant; Lieutenant in the 1st Field Company, Pioneer Battalion No. 12, XII. Army Corps.

As to Case: I was leader of the platoon of the 1st Field Pioneer Company which took part in the reconnaissance in force on the night of the 21st-22nd August 1914. In Dinant, on that occasion, we were briskly fired at from the houses. I did not see the marksmen; certainly they were not soldiers. I conclude this from the numerous injuries from small shot which our wounded had. During the street-fighting a little old cylinder-revolver, from which one shot had been discharged, fell on my head. No officer and, still more, no soldier would have been likely to use such an antiquated weapon.

On August 23rd, 1914, I marched into Dinant with a part of the 1st Field Pioneer Company, and joined up with the detachment of Count Kielmannsegg. We were fired at very vigorously from the houses, among others also from those on the bank of the Meuse, but not at all from the opposite bank. The marksmen were civilians without any military badge. I myself saw several civilians with weapons in their hands. A woman also fired down at us from the

stairs as we were forcing our way into a house. She was immediately shot down from below.

I was witness how four men and a woman were shot by grenadiers because they came out, armed, from the houses from which we had been fired at. I was further witness how a larger number of guilty inhabitants were shot by order of Count Kielmannsegg; the women and children were first separated from the men. I saw, at the moment when the volley was delivered, one of the men draw a revolver from his pocket and fire at the soldiers. I was astonished, too, that the weapon had not been taken away from him. In any case, he had only just been brought up at the last moment before the execution.

As far as I have seen, our soldiers did not in any way behave cruelly towards the inhabitants. On the contrary, from the houses out of which the inhabitants had been driven, our men brought out on mattresses four women, who were unable to walk on account of recent confinement, and laid them in the street in a place sheltered from the firing, close to our own wounded.

In the evening towards 7 o'clock I marched with my detachment from Dinant to Les Rivages. On the way, at the last houses in Dinant we again received a brisk fire from the houses. We had no time to stop and clear these houses, as we had strict orders to evacuate Dinant immediately on account of the impending bombardment of the place. As we entered Les Rivages the bridge-building was in progress.

We remained at this place a further two days. After the completion of the bridge, we noticed repeatedly on August 24th that our columns, which had crossed the bridge and were marching downstream on the west bank of the Meuse, were fired at from Dinant.

Read over, approved, signed.

Signed: BRINK, Lieutenant.

The witness was hereupon sworn.

Signed: SCHWEINITZ. Signed: LIPS.

C. App. 6.

EXTRACT from the Report of the (Guards) Grenadier Regiment No. 100.

August 23rd, 1914.

During the descent towards Dinant all three companies of the 1st Battalion received losses through the fire of

civilians—portions of the populace, amongst whom were women and children—and presumably also from Belgian soldiers in civilian clothing, who obstinately defended themselves with every possible kind of weapon. In the streets the companies encountered a murderous fire. In parts every single house had to be fought for with the use of hand-grenades. The civilians wore no military badge or uniform; if they were caught with weapons in their hands, they were shot. The remainder of the population were led away to the town gaol. The Grenadier Guards pressed farther on, all the time being fired at by the treacherous inhabitants. A great number of buildings were provided with flags bearing the Geneva cross, yet from these the troops were fired on with special violence.

Grenadier H., thrice wounded, nevertheless continued to take part in the fighting, while he called his comrade's attention to the houses from which the inhabitants were firing.

Late in the afternoon, since the whole place was not yet in our hands, the artillery bombarded the town, which now, for the most part, became enveloped in flames.

Towards 8 o'clock in the evening the house-fighting in the midst of the burning streets broke out once more for a short time.

The civilians detained in the prison were brought out. Old men, women, and children were released; the men were led by up to Marche as prisoners.

On the morning of August 24th, after the pontoons had been repaired, the regiment began to cross in pursuit of the retreating enemy. While this was going on, shots from different houses struck the marching column.

C. App. 7.

WILLMSBARACKEN, *January 6th*, 1915.

Deposition.

By order of the (Guards) Grenadier Regiment No. 100, Lieutenant-Colonel Count Kielmannsegg appeared for examination and, being warned to speak the whole truth, made the following deposition:

As to Person: My name is Bernhardt Hermann Carl Kedel, Count Kielmannsegg, born in Celle (Hanover) on

July 6th, 1866; evangelical-Lutheran; Lieutenant-Colonel in the (Guards) Grenadier Regiment No. 100 and Commander of the 1st Battalion.

As to Case: The town of Dinant was attacked and occupied at about 8 o'clock in the forenoon on August 23rd, 1914, by the 3rd Company, 1st Battalion, 1st (Guards) Grenadier Regiment. No enemy troops were discovered on the right bank of the Meuse. Notwithstanding this, our troops were fired on from the houses of the town by persons in civilian clothing without any military badge or uniform, whereby Captain Legler, the first of the Guards Company to enter the town, was severely wounded. Sections of the town were assigned to the companies for the purpose of searching and clearing, with the injunction to take all inhabitants, so long as they offered no resistance, to the town gaol; all those who offered resistance to be dealt with by force of arms. The occupant of the house, from which Captain Legler was wounded, was shot by my order.

Infringements of the orders given by me have not been reported from anywhere. The search took place by patrols under leaders who were detailed for this purpose by the companies. Several hundred inhabitants were brought into the town gaol, and there put under guard. Before leaving the town, in which the three companies had been engaged, from about 8 o'clock in the morning until about 8 o'clock in the evening, in constant street and house fighting, with their own losses as indicated, about a hundred guilty inhabitants of the male sex were shot by my direction and in accordance with an order given by higher authority. Our own wounded, as well as the inhabitants who were wounded, chiefly by the fire of the enemy on the left bank of the Meuse, were bandaged and taken care of by Chief-Doctor Merx of the 2nd Battalion of the (Guards) Grenadier Regiment in a house prepared for this purpose.

Read over, approved, signed.

Signed: KIELMANNSEGG.

Witness was hereupon sworn.

Signed: VON HAUGK, Lieutenant and Officer of the Court.

Signed: BEYMANN, Acting - Sergeant - Major, Clerk of the Court.

C. App. 8.

(Guards) Grenadier Regiment No. 100.

Present :

Lieutenant of Reserve BANDEL, as Officer of the Court.

Non-commissioned Officer HAUNSTEIN, as Military Clerk of the Court.

GUIGNICOURT, *January 9th*, 1915.

By order there appeared as witness Captain von Montbé, who, being warned to speak the whole truth, made the following deposition :

As to Person : My name is Charles Sylvester Alban von Montbé. I am 31 years old ; Protestant.

As to Case : It has not come to my knowledge that any cruelties have been committed by our soldiers on the inhabitants of Dinant ; neither have the inhabitants of Dinant been ill-treated or mutilated or been badly treated at all ; on the other hand, various inhabitants of the place who have treacherously fired from the houses, so far as one could get hold of them, were shot.

Read over, approved, signed.

Signed : v. MONTBÉ.

Witness was hereupon sworn.

Signed : BANDEL, Lieutenant and Officer of the Court.

Signed : HAUNSTEIN, Non-commissioned Officer and Military Clerk of the Court.

C. App. 9.

GUIGNICOURT, *January 8th*, 1915.*Deposition.*

Lieutenant Prietzel of the Reserve appeared as witness and, being warned to speak the truth, in lieu of oath declared as follows :

As to Person : My name is Ernst Rudolf Prietzel. I am 29 years of age ; Evangelical-Lutheran ; Dr. Jur. of Bautzen.

As to Case : When the 5th Company of the 1st (Guards) Grenadier Regiment marched into Dinant it was fired on from the houses situated in the narrow lane leading from Herbuchenne. I was myself able to observe shots from about three windows. Grenadier Oberlander was killed ; probably two or three Grenadiers were wounded. The

shots undoubtedly did not come from the opposite bank of the Meuse, which, at that time, was only weakly occupied by the enemy troops. On the contrary, the shots were discharged by the civilian population. In the narrow lane, and previously towards Herbuchenne, there lay numerous dead and wounded of the 8th Company, which had, in the same way, been fired at by the civilian population from the houses.

One could plainly see in the burning houses of Dinant, mostly wrecked by our artillery, that cartridges were exploding in the flames. These houses were unsuitable for military purposes, especially for defence. The cartridges must therefore have originated from the civilian population.

On the other side of the Meuse was a building provided with a Red Cross flag. The walls enclosing this building had loopholes. The building was therefore, despite the Red Cross flag, adapted for defence. The 5th Company, in passing through the narrow lane mentioned above, replied to the fire of the civilian population.

It is not true that soldiers of the Guards Regiment or of any other regiment have taken any action which was not absolutely required by the military situation or in consequence of the behaviour of the civilian population.

Read over, approved, signed.

Signed : Lieutenant of Reserve PRIETZEL.

Witness was thereupon sworn.

Signed : VON LOEBEN, Lieutenant and Officer of the Court.

Signed : BAIER, Non-commissioned Officer and Clerk of the Military Court.

C. App. 10.

Present :

President of the Court, SCHWEINITZ.

Secretary, LIPS.

NEUFCHÂTEL, *February 16th, 1915.*

In the matter for investigation with reference to the events in Dinant, Acting-Sergeant-Major Bartusch appeared as witness. After he had been made acquainted with the object of the investigation, and the importance of the oath to be taken had been pointed out, he was examined as follows :

As to Person : My name is Georg Wilhelm Bartusch. I am 33 years of age ; Protestant ; Acting-Sergeant-Major, Battalion Drummer, 1st Battalion, (Guards) Grenadier Regiment No. 100.

As to Case : On August 23rd I served on the staff of the 1st Battalion in Dinant. We slid down the steep slopes into Dinant rather than ran. An inhabitant, the Luxemburger mentioned below, told me they did not believe we should get down ; on the contrary, they reckoned that we would be shot on the way. From the very beginning we were assailed by fire from the houses, small shot was also used ; the firing came from all the openings in the houses, from the windows and doors, and also from holes cut out between the roof and wall. Below in the town we sought a temporary shelter in a warehouse nearly opposite the gaol. From here an attempt was made to clear the neighbourhood of sharpshooters. All those of the inhabitants who were found in the houses were taken to the prison. The persons who had been caught with weapons in their hands were separated and placed against the garden wall near the open place. They were there shot by a detachment of Grenadiers by order of Lieutenant-Colonel Count Kielmannsegg. How many there were, I cannot exactly say ; there may have been 50 or 100. They stood in three or four rows, and were to my knowledge only men. That women and children were shot with them, I did not see. One man tried to keep a child on his arm, but this was prevented by a woman who took the child from him. One must try to imagine the confusion prevailing, and that all this was taking place while we were still being fired on. I think it is possible that some of the women and children, whom we had forced away from the men, had fled behind the wall of the garden, and that there they perished either by our bullets which pierced the wall or by the bullets of the enemy on the other bank of the Meuse. Everyone who stayed out of doors did so at the continual risk of his life. At the very commencement, when we reached Dinant, a girl of about thirteen years of age received a shot in the stomach from the other bank of the Meuse. She was bandaged by two German stretcher-bearers.

One man was caught in the street by two Grenadiers, who declared he had wounded Captain Legler. We tied his hands with a cord and took him with us. He was, however, rescued by civilians in the street-fighting. I recognised him again among the men lined up for execution

by the marks left by the cord on his hands. In a house which had already been searched, and which I and a Grenadier were again searching through, I found behind a secret door two men of about twenty years of age; each had a revolver in his hand from which shots had already been discharged.

Among the persons who had been taken to the prison was a well-dressed man of about seventy years of age. A bulging of his waistcoat attracted my attention; when I went to touch it he said, "Purse." I tore his waistcoat open and produced from it a small revolver from which a shot had already been discharged. As far as I know, this old man was not among those who were shot. To judge by the continuous firing, all the inhabitants of Dinant must have taken part in the shooting. When we were attending to the thirteen-year-old girl who had been shot, her father, a Luxemburger living in Dinant, who spoke broken German, said that in Dinant parents had given revolvers to their children of ten to twelve years so that they might shoot at the "Allemands."

In the prison we found about eight pistols and the same number of swords, as well as a cigar-box full of cardboard packets which were filled with small shot.

Read over, approved, signed.

Signed: BARTUSCH.

Witness was hereupon sworn.

Signed: SCHWEINITZ.

Signed: LIPS.

C. App. II.

WILLMSBARACKEN, *February 3rd, 1915.*

Deposition.

By order of the regiment there appeared as witness Grenadier of the Reserve Straczinsky, 4th Company (Guards), Grenadier Regiment No. 100, who, being warned to speak the whole truth, made the following deposition:

As to Person: My name is Felix Johannes Straczinsky; born on the 15th June 1890 at Bautzen (Saxony); Evangelical-Lutheran.

As to Case: I was wounded on August 23rd, 1914, in Dinant by a discharge of small shot fired from a cellar window. The shot went into my right ankle. The grains

of shot were removed at Julich, near Aachen, where I was under treatment. I saw the shot myself.

Read over, approved, signed.

Signed: JOHANNES STRACZINSKY.

The witness was hereupon sworn.

Also signed.

Signed: VON HAUGK, 1st Lieutenant and Officer of the Court.

Signed: BEYMANN, Acting-Sergeant-Major and Clerk to the Court.

C. App. 12.

EXTRACT from the Reports of the Staff of the 46th Infantry Brigade and of Regiments Nos. 108 and 182 on the fighting at Dinant, August 23rd, 1914.

Staff of the 46th Infantry Brigade.

Towards 9 o'clock in the forenoon Regiments Nos. 108 and 182 reached the eastern slopes of the Meuse.

There now ensued a hot fight for the town of Dinant, which was defended by francs-tireurs, and which resulted in serious loss, especially of officers. As the Brigade Commander was of opinion that Dinant could not be taken without previously bombarding it with artillery, he gave the order at 10 a.m. to again evacuate Dinant if possible. At the time this was no longer practicable, since the regiments were already too much involved in the house-to-house fighting and were pressing forward in the direction of the market-place.

Whilst every individual house was being hotly fought for, the troops were being heavily fired on from the opposite bank of the Meuse by artillery and machine-guns.

The commanders of the two regiments met in the market-place. Since no decisive result was possible without artillery against the enemy who were concealed in houses, cellars, and caves, and who were even firing from the cathedral, they resolved to gradually evacuate the town.

This was begun at about 3 o'clock in the afternoon.

Rifle-Fusilier Regiment No. 108.

The 3rd Battalion in its advance on Dinant had at once been fired at from the eastern houses. Nothing was to be seen of the enemy, although continuous firing came from

the northern border of the Dinant-Gemechenne road valley. The farm of Malais was stormed by the 1st Battalion. The whole of the francs-tireurs who had resisted there were killed. According to its instructions, the battalion reached Leffe and Dinant under fire from the inhabitants. In the house of Dinant there were no longer any of the enemy forces either in uniform or provided with any military badges, but it was the fanatical population, even women, who fired on the troops. In the market-place there developed a brisk house-to-house fight. There was firing even from the tower of the cathedral. Almost all the houses were systematically defended. Both regimental commanders (of the 108th and 182nd Regiments) came to the conclusion that the Meuse could not be reached without the support of our artillery, and therefore ordered the return of the regiments at 3.30 in the afternoon. At 5 o'clock the bombardment of Dinant by our artillery began. On the following morning the brigade crossed the Meuse on the pontoon bridge at Leffe which was built by the 32nd Infantry Division, since it was impossible to march through burning Dinant.

Infantry Regiment No. 182.

During the advance of the regiment along the edge of a valley it received a continuous shrapnel fire from the western bank of the Meuse and infantry fire from the buildings and copses on the edge of the valley, causing losses. Captain Klotz, the leader of the machine-gun company, fell through a shot from above, apparently from one of the fortress-like watch-towers which stand there. Two battalions penetrated into Dinant and on towards the bridge, and received a detached fire from the houses and from the cliffs of the east bank, in numerous rocky caves of which francs-tireurs were hidden. At 5.30 in the evening the regiment stood again on the heights above Dinant while our artillery from the north furiously bombarded the town on both sides of the river.

In the evening and during the night enemy sharpshooters still continued to fire from the woods and buildings on the edge of the valley, which they had reached by passages in the rocks unknown to us, and into which they again disappeared.

C. App. 13.

WOOD SOUTH-WEST OF LA VILLE AUX BOIS,
February 5th, 1915.

Deposition.

By order of the Rifle (Fusilier) Regiment "Prince George" No. 108 there appeared as witness Corporal Schmieder of the 10th Company.

Warned to speak the whole truth, he made the following deposition :

As to Person : My name is Hermann Walter Schmieder. I am 20 years of age ; of the Evangelical-Lutheran faith ; gardener by calling ; now corporal in the 10th Company.

As to Case : On the Sorinnes-Dinant road the following occurrence took place in the part of the town of Dinant which lies on both sides of the road. I witnessed how two male civilians discharged pistol-shots at Major Lommatsch, Battalion Commander, 16th Infantry Regiment No. 182, from the first storey of a house standing directly on the road. Major Lommatsch immediately collapsed.

Read over, approved, signed.

Signed : SCHMIEDER.

The witness was sworn in accordance with regulations.

Signed : LASSOW, Lieutenant and Officer of the Court.

Signed : SCHUBERT, Acting-Sergeant-Major and Clerk of the Military Court.

C. App. 14.

WOOD SOUTH-WEST OF LA VILLE AUX BOIS,
February 5th, 1915.

Deposition.

By order of the Rifle (Fusilier) Regiment "Prince George" No. 108 there appeared :

1. Corporal Horn.
2. Corporal Matthes.

Warned to speak the whole truth, they made the following deposition :

1. Horn.

As to Person : My name is Max Bruno Horn. I am 22 years old ; of the Evangelical-Lutheran faith ; machinery

smith by trade ; now corporal, 12th Company, Rifle (Fusilier) Regiment " Prince George " No. 108.

As to Case : On the afternoon of the 23rd August a platoon of artillerymen was standing in the vicinity of the water-tower at the fort of Dinant. All at once the artillerymen sent for the infantry to help them. The group in which I was moved up. The artillerymen were firing with their pistols at about eight civilians who were armed with rifles. When the civilians saw us coming they ran down the slope towards Dinant. I did not see German soldiers in Dinant commit any cruelties on the inhabitants.

Read over, approved, signed.

Signed : HORN.

The witness was duly sworn.

2. Matthes.

As to Person : My name is Johannes Walter Matthes. I am 28 years old ; of the Evangelical-Lutheran faith ; butcher by trade ; now rifleman, 12th Company, Rifle (Fusilier) Regiment " Prince George " No. 108.

As to Case : I concur to the fullest extent in the statement of Corporal Horn, and have nothing further to add.

Read over, approved, signed.

Signed : MATTHES.

Witness was duly sworn.

Signed : LOSSOW, Lieutenant and Officer of the Court.

Signed : SCHUBERT, Acting-Sergeant-Major and Clerk of the Court.

C. App. 15.

WOOD SOUTH-WEST OF LA VILLE AUX BOIS,

February 5th, 1915.

Deposition.

By order of the Rifle (Fusilier) Regiment " Prince George " No. 108 there appeared as witness Rifleman Körner. Warned to speak the whole truth, he made the following deposition :

As to Person : My name is Artur Hugo Körner. I am 21 years old ; of the Evangelical-Lutheran faith ; glass-cutter by trade ; now rifleman, 11th Company, Rifle (Fusilier) Regiment " Prince George " No. 108.

As to Case : I belonged to a patrol of twelve men led by

Lieutenant Gauser and Berger with orders to arrest civilians in Dinant who might take up arms against the Germans. From a building in course of erection we observed that civilians were firing on us from a house. We surrounded the house, forced an entrance, and arrested about six male civilians. All had firearms, but no military badge or uniform. Two of them were young people about eighteen years old, another an older man with white hair. I know nothing of cruelties having been perpetrated by German soldiers on the inhabitants.

Read over, approved, signed.

Signed : KÖRNER.

The witness was duly sworn.

Signed : Lossow, Lieutenant and Officer of the Court.

Signed : SCHUBERT, Acting-Sergeant-Major and Clerk of the Military Court.

C. App. 16.

Present :

1st Lieutenant GRAU, as Officer of the Court.

Acting-Sergeant-Major LIMBÄCKER, as Clerk of the Court.

“THE FRONT,” *February 28th, 1915.*

There appeared as witness Major-General Francke, who, after reference to the significance of the oath, was examined as follows :

As to Person : My name is Franz Samuel Ludwig Francke. I am 51 years old ; Protestant ; Major-General and Regimental Commander, Infantry Regiment No. 182.

As to Case : I confirm that in Dinant a civilian who wore a white band with the Geneva Cross was brought to me by a corporal and two men of the 12th Company. The party assured me that they had seen an arm with a Geneva brassard project from between the shutters of a window on the first floor of a house distant about thirty paces from where I was, and that it had discharged a pistol into the street which was thronged with soldiers. Several dead and wounded soldiers were lying in the street who could only have been hit from the houses or straight through from the houses on the riverside. The soldiers stated that they had broken into the house and had fetched out the occupants, among whom was this man.

The civilian explained to me, without being asked, at first in hardly intelligible German, and then in French when I addressed him in French, that he was a doctor, and that he had protected the women who were in the houses, and had not fired on the soldiers. I thereupon ordered him to immediately bandage one of the wounded lying there. On his assertion that he had no bandages, I told him to fetch some bandages from the pharmacy which was situated directly behind me. I had already wondered that he had not taken this simple step if he was really a doctor. As I was very much occupied I could not watch him further myself, but ordered a corporal and one man to accompany and keep watch on the supposed doctor. Some time after, the corporal came to me and reported that, as they entered the ground floor of the pharmacy, the doctor had suddenly run into the rear part of the house and not into the room used for the pharmacy on the street front, whereupon they had brought him out and shot him.

Read over, approved, signed.

Signed: FRANZ FRANCKE.

The witness was thereupon sworn.

Signed: GRAU, 1st Lieutenant and Officer of the Court.

Signed: LIMBÄCKER, Acting-Sergeant-Major, as Clerk of the Military Court.

C. App. 17.

Present:

President of the Military Court, NAUMANN.

Secretary of the Military Court, SCHWARZBACH.

LA MALMAISON, *December 1914.*

In the investigation concerning the violation of international law committed against the German troops, there appeared as witness Corporal Saring, who, after reference to the significance of the oath, was examined as follows:

My name is Johann Georg Saring. I am 22 years of age; Protestant; locksmith by trade; corporal, 12th Company, Infantry Regiment No. 182.

On the afternoon of Sunday the 23rd August, 1914, I saw in Dinant the arm of a man thrust itself out from the first storey of the pharmacy. The hand held a pistol. The pistol was fired at us soldiers. The arm was wearing, as I plainly saw, the Red Cross band. I burst the door in

with a pick-axe ; there came out children, women, and an elderly man, and, last of all, the man with the Red Cross band. This man was taken to Colonel Francke, whilst the other civilians were detained in the corner of a house. We then rushed towards the church in which the inhabitants had been brought together. As I know for certain, we were fired on from the tower of the church. This could only have been done by the inhabitants ; enemy troops were not to be seen the whole of the day.

Read over, approved, signed.

Signed : JOHANN GEORG SARING.

The witness was thereupon sworn.

Signed : NAUMANN.

Signed : SCHWARZBACH.

C. App. 18.

Present :

President of the Court, NAUMANN.

Secretary to the Court, SCHWARZBACH.

LA MALMAISON, *December 9th, 1914.*

In the investigation of the violation of the international law committed against the German troops, there appeared as witness Corporal of the Reserve Einax, 11th Company, Infantry Regiment No. 182, who, after reference to the significance of the oath, was examined as follows :

My name is Karl Hermann Einax. I am 28 years old ; Protestant ; cooper by trade ; corporal since November 21st, 1914. On Sunday, August 23rd, 1914, during the second hour of the afternoon, as we advanced into Dinant, we were fired on. It turned out that the fire came from the other bank of the Meuse. We forced our way into the houses and searched them. I saw how an elderly man with grey bristly hair stepped out of a house, into which our comrades had forced an entrance, and fired at us. Major Lommatsch, who was severely wounded, died in the afternoon in consequence of the wound.

On interrogation :

I then plainly saw that eight gun-barrels projected from the attic windows of a house in the main street and were directed at us. From the tower of the church and from cellars we were also fired on. All this was done by the inhabitants only.

I remember distinctly that eight men were brought out of a house from which there had been firing, amongst them the pastor with a Red Cross band on his arm.

Read over, approved, signed.

Signed: KARL HERMANN EINAX.

Witness was thereupon sworn.

Signed: NAUMANN.

Signed: SCHWARZBACH.

C. App. 19.

EXTRACT from Reports of Field Artillery Regiment No. 12.

August 23rd, 1914.

Regimental Staff.

As our infantry was hindered in the advance into Dinant by franc-tireur fighting, the town was bombarded and set on fire by the regiment.

1st Detachment.

Since we had not gained possession of that part of Dinant situated west of the Meuse, and, according to reports coming from the front, our troops had been fired on from the houses by civilians, General Lucius gave the order to bombard this part of the town. Two companies of the 1st Battery were posted on the western border of Herbuchenne, and set on fire some large houses with about thirty shrapnel shells.

As our infantry had again evacuated Dinant in the afternoon, our detachment received orders to bombard and burn the town. After a short time the order came to cease fire.

At 6 o'clock in the evening the opposite heights of the Meuse were in the possession of our infantry.

2nd Detachment.

The commander of the detachment asked for companies from Captain Pechwell, 3rd Company, Infantry Regiment No. 182, and proceeded with these to the position ordered; as all the houses and the quarries on the way had to be searched for francs-tireurs, the position was only reached at 8.30 p.m. At 11 o'clock two farms situated on the right flank suddenly burst into flames; at 11.30 lamp-signals were observed from the quarries north-east of the position.

C. App. 20.

EXTRACT from Report of Field Artillery Regiment No. 48.

As our infantry in Dinant, from the houses of which there was heavy firing, were also still being fired on by the fort, the 3rd Battery received the order to bombard the fort from a more advanced position. In Leffe also, our infantry made no headway; the 5th Battery therefore received the order at 4 o'clock in the afternoon to bombard and set on fire the farm Roud Chêne and the neighbourhood of Leffe. Dinant was evacuated by our infantry from 3 o'clock in the afternoon onwards, and from 5 o'clock onwards was bombarded by our Foot Artillery.

C. App. 21.

EXTRACT from Report of Foot Artillery Regiment No. 19,
1st Battalion.*August 23rd, 1914.*

At midday, by order of Major-General Schramm, the Eichler Battery was moved forward on the road north of Dinant to an advanced position south-west of Leffe, later on to the Convent Place of Dinant, and from there bombarded Dinant itself.

August 24th, 1914.

The reconnaissance showed that the roads in the Meuse Valley of Dinant-Leffe were impassable on account of the débris of fallen houses, conflagrations, and the shots fired from the houses by the inhabitants.

C. App. 22.

EXTRACT from Report of the Staff, 64th Infantry Brigade.

The Infantry Regiment No. 178 had not only opposed to it a strong force of the enemy, but was also being heavily fired on by francs-tireurs from the houses of the village of Leffe. A company of the 2nd Battalion as well as a detachment of the Machine-Gun Company, Infantry Regiment No. 178, were, as the Brigade Staff itself saw, fired on in the same way from all the houses as they were entering the village of Leffe. This could only have come from the inhabitants; some of them were seized with weapons in their hands and shot. Toward 1.45 in the afternoon a detachment of heavy artillery opened fire on the houses of Bouvignes which were occupied by the enemy, with

obvious results. As shots were being fired from the woods and cliffs north and south of Leffe on our troops passing through the village street, the Kurhessian Jäger Battalion No. 11 received the order to clear the woods. Here also civilians, without any military badge or uniform, were seized with weapons in their hands and shot.

64th Infantry Brigade.

LEFFE, *August 23rd, 1914, 11.50 a.m.*

To Field Artillery Regiment No. 64.

The 3rd Company, Infantry Regiment No. 178, is suffering especially through infantry fire from the houses with the pointed towers and from the ruins to the right of them in Bouvignes. The 64th Brigade asks you to kindly bring these houses under fire.

64TH INFANTRY BRIGADE.

C. App. 23.

EXTRACT from Report of Infantry Regiment No. 178.

August 23rd, 1914.

When the leading company (9th Company) of Infantry Regiment No. 178 had almost reached the Meuse in its march through Leffe it received a brisk fire from the front and on the right and left flanks, chiefly from the houses. The 9th Company thereupon received orders to clear the village. The battalion had a severe struggle and suffered considerable losses, as it was under a violent infantry and machine-gun fire from the opposite bank of the Meuse, and, above all, because the battalion was being fired on by the inhabitants from practically all the houses. Various civilians who had fired at our troops were shot. At 8.30 about twenty inhabitants were still firing at us to the south of the barracks of the 13th Belgian Infantry Regiment. They were fetched out and shot.

C. App. 24.

Present :

President of the Military Court, SCHWEINITZ.

Secretary to the Military Court, LIPS.

Quarters of Infantry Regiment No. 178 at
VARISCOURT, *March 3rd, 1915.*

In the inquiry concerning the events in Dinant there appeared as witness Lieutenant Koch, who stated :

As to Person : My name is Friedrich Bruno Koch. I am 47 years old ; Protestant ; Lieutenant-Colonel, Infantry Regiment No. 178.

As to Case : I led the 2nd Battalion, Infantry Regiment No. 178, on August 23, 1914. First of all, in the morning, I had to deal with the franc-tireur firing in the Leffe valley at "La Papeterie." As the battalion was continually being fired on there from the houses, I gave the order, on higher authority, to clear the houses. I was then detailed to take over the leadership in the fighting at Leffe. There I saw very many dead civilians lying all along the road and also especially in an open space in Leffe itself. At nightfall after the occupation of the place I had to secure the section towards the Meuse—it was reported to me that my left-wing post was being attacked by francs-tireurs. I snatched together a number of men, led them personally to the scene of the fighting, and instituted measures for clearing the place. By my orders reinforcements arrived, and I gave over to 1st Lieutenant Wilke the further work of clearing the place. During this work we were continuously and heavily fired on by civilians without any military badge or uniform. Consequently, in this affair also, very many men who were caught with weapons in their hands were shot.

Read over, approved, signed.

Signed : KOCH.

Witness was thereupon sworn.

Signed : SCHWEINITZ.

Signed : LIPS.

C. App. 25.

Short REPORT to the Regiment of the 2nd Battalion, Infantry Regiment No. 178, on the fighting at Leffe.

February 14th, 1915, 5 p.m.

In the advance on Leffe the battalion came across a mill or factory. The advance guard, in which was the Regimental Staff as well as the Staff of the 3rd Battalion, Infantry Regiment No. 178, were received by a heavy fire from the factory. In the same way the battalion was fired on from the surrounding heights. The foremost (9th) company stormed the factory ; here were found, despite a close search, only about twenty men in civilian clothes without any military badge or uniform, and some women, but no

Belgian or French soldiers. The patrols sent out on the heights also reported that they had seen only single fugitive civilians, but no soldiers. The civilians captured in the factory were shot by order of the Regimental Commander because they had been firing. The battalion thereupon continued its advance towards the Meuse unmolested. When the head of the battalion reached the Meuse fire was opened on it from the opposite bank. The battalion deployed in the town. The locked-up houses had to be opened by force by the companies in order to bring the enemy under fire from the gardens in the rear on the Meuse bank. For this moment the population seems to have waited, for they suddenly opened fire on us from all sides with rifles and pistols. The companies were now obliged to contend against two fronts, on the one side against the enemy on the opposite bank of the Meuse, on the other against the population. One of the first victims was Captain Franz of the 11th Company of the regiment, who was shot through the leg from a cellar window. The civilian was fetched out of the cellar by Captain Lücke of the 9th Company of the regiment, single-handed, and, as he was caught with a weapon in his hand, was immediately shot. In the course of further operations six men of the battalion were killed and a larger number were wounded in the interior of the town, in places, in fact, where the fire of the troops on the other side of the Meuse could not have reached them. The losses were to be ascribed solely to the attack of the inhabitants. From the circumstance that Belgian military rifles were found with the greater number of the prisoners and Belgian infantry cartridges in their pockets, it may be concluded that Belgian soldiers, after discarding their uniforms, had also taken part in the attack. Hunting-rifles, obsolete and modern pistols were found in the possession of the others. Whether women or children participated in the fighting is beyond my knowledge; at any rate, none were intentionally shot. I had given the order to hand over all women and children to the abbot of the monastery in Leffe; this was also done. How many civilians were shot in the street-fighting, I am unable to state.

The correctness of the foregoing statements can be testified to by numerous persons belonging to the battalion who have taken part in the fighting.

Quarters of Infantry Regiment No. 178,
March 3rd, 1915.

Present :

President of the Military Court, SCHWEINITZ.
 Secretary to the Military Court, LIPS.

In the inquiry concerning occurrences in Dinant there appeared as witness Major Fränzel, who stated :

As to Person : My name is Georg Friedrich Artur Fränzel. I am 45 years of age ; Protestant ; Major and Battalion Commander, Infantry Regiment No. 178.

As to Case : On the reading over of the report of the 14th February 1915 on the fighting at Leffe :

This report originated from me. I still hold to-day to its contents. I still emphasise expressly that only men were shot, no women and children.

Read over, approved, signed.

Signed : FRÄNZEL.

The witness was thereupon sworn.

Signed : SCHWEINITZ.

Signed : LIPS.

C. App. 26.

6th Company, Infantry Regiment No. 178.

February 14th, 1915.

Report.

On the night of the 22nd August 1914, after its assembly at Thynes-les-Dinant, the 32nd Infantry Division marched by the so-called Leffe lower road to the northern suburb of Dinant.

On the 23rd August, towards 5 o'clock in the forenoon, a halt was made about 1500 metres east of the spot where this way enters the Meuse Valley road ; the cartridge waggons were emptied and the colours were unfurled for the first time in the campaign. There the first command to attack was given. The 64th Infantry Brigade deployed on the heights to the north of the lower road.

The 2nd Battalion of the Infantry Regiment held itself at the disposal of the Brigade Commander on this road close to the first houses in Leffe. Shortly after the front battalions had fallen in, I received the order from the Battalion Commander, Major Koch, to report myself to the Brigade Commander for a reconnaissance patrol. There

I received the instruction to reconnoitre a pathway which leads by La Papeterie to the heights north of the lower road ; a group of about ten houses on the left of the road, clustering round a large paper factory, is called La Papeterie.

In carrying out this order I rode first by the lower road to La Papeterie in order then to turn off towards the heights. On my approaching the factory some shots were fired, evidently pistol-shots ; I then rode farther, because I thought the firing was not meant for me ; but as it became more brisk and I saw that the shots struck the steep-rising wall of the rocks, as high as houses, on the right of the road, and that I could not carry out the reconnaissance in this very broken, rocky district on horseback, I turned back. Only the sharpest pace saved me from the shots which, thick as hail, struck the face of the cliff beside me. I reported this affair to my Battalion Commander and took the foremost section of the leading company in order to execute my errand on foot without delay, not without having first asked to have the factory cleared. On my second advance I was again fired at, so that I found myself obliged to turn off before the steep cliff in order to get forward under cover of gardens and hedges. I succeeded in this without any losses, although on this occasion I was still briskly fired at.

When I had returned from this patrol I learned that the company had penetrated into the factory and had cleared the place. I heard and saw shots still being fired from this direction. I thereupon received the order to clear the houses without regard to anything, but to spare old men, women, and children. Having reached the houses of the factory workpeople, I was heavily fired on from all sides. Of the marksmen there was no trace to be discovered, despite the keenest search. The houses were consequently surrounded, and separate individuals forced their way into the buildings. It turned out that these were strongly barricaded. The doors were barred, the entrances to cellars and basements were blocked up with boxes, mattresses, and all kinds of domestic utensils ; windows and skylights were covered with boards. I, personally, penetrated into two or three houses, and am witness to the fact that it required an extraordinary amount of strength and skill to gain an entry to the forty-five buildings. In one house I found a number of discharged Browning-pistol cartridge cases. This house I had set on fire, as nobody was found in it. In this district of Leffe we had to deal in the main, according to my opinion, with Browning marksmen, who did not seem to

be properly acquainted with the weapon. The discharged ammunition found proves this in the first place; also, on the other hand, the quick succession of shots, then a long pause, because the marksmen were not properly acquainted with the loading mechanism of the pistol. Some non-commissioned officers reported to me that they had fought in the house with armed civilians, had overpowered, killed, or shot them.

After the houses had been cleared and searched I assembled my company and moved back by the road to the original position of the battalion.

In the meantime the Marburg Jägers had marched up, and had again searched the factory and the adjacent buildings. I saw how a number of men in civilian clothing, about twenty, were shot by this unit in the yard of the factory.

Meanwhile my company lay on the lower road and was further fired on from the steep slopes of the valley, which were covered with wood and thickets, through which the road passed. On the right flank I sent out in advance Lieutenant Schreyer of the Reserve in order to search the thickets, whilst the Marburg Jägers advanced on the left. With glasses I was able to plainly see several civilians on the left slope who were firing at us. I believe I can remember that they were equipped with pistols.

Suddenly I heard firing on the right above me from the detachment of Schreyer, and saw at the same time how one man collapsed on the left slope and rolled a few paces, another crawled back apparently wounded, and a third took to flight into the adjacent wood. The Marburg Jägers, who soon after came to this spot, and with whom I spoke later, had ascertained with certainty that in this case we were dealing with civilians.

Soon after this, Lieutenant Schreyer came back and reported to me that he had observed on the opposite slope some suspicious rascals on whom he had fired. Shortly after we were fired at from a detached house on the right slope. This was somewhere about 10 o'clock in the morning.

I once more sent out a strong patrol on the right bank to clear out this house. The patrol soon returned and brought a big, strong man about forty years old, in labourer's clothes, and a lad of about sixteen years, as well as a number of wailing women and children. The men had been armed, according to the statement of the leader of the patrol, with sporting-rifles which the patrol themselves in the house had rendered unserviceable. I can no longer remember the name of the patrol leader. The men were taken to

the factory, the women and children bundled off to the monastery in Leffe.

Towards midday the 2nd Battalion of Infantry Regiment No. 178 was moved forward towards Leffe direct to the Meuse. In the village street itself there lay a great number of dead men in civilian clothing. On questioning different soldiers I learnt that the troops marching through before us had been fired on from almost every house; hence the great number of civilians shot. Dead women and children I did not see.

I had my company halted at the monastery at Leffe, and went forward myself to the Meuse. Parts of the 3rd and 1st Battalions of the 178th Regiment were still there, fighting the enemy on the opposite bank. I also saw there bodies of troops, in particular, of Regiments Nos. 102 and 103, of Rifle Regiment No. 108, of the Marburg Jägers, and of the artillery.

In the compact rows of houses at Leffe, the reports of firing were continuous, and one could not always tell from whence they came. Without doubt they were pistol-shots discharged from cellars and attics. I can also remember that a large number of brown sporting-shot cartridge cases lay in front of a house in the principal street of Leffe.

In the course of the afternoon I received the order to occupy the bank of the Meuse with my company, and was allotted for this purpose the school and the houses near it. Behind the school was a gasometer, and close to the gasometer coals had been piled up and set on fire—manifestly by the civilian population. I therefore sent Acting-Sergeant-Major Bauer, officer's deputy, with his men, in order either to extinguish the fire or otherwise to prevent in some way the threatened explosion. He reported to me, however, that the pioneers who had already arrived before us, correctly judging the danger of the gasometer, had emptied it.

After the enemy had evacuated the opposite bank in the late afternoon, and the crossing of single detachments of troops had already begun, I withdrew my company from the school and from the bank of the Meuse and assembled them in the street enclosed by two rows of houses. Towards 5 o'clock in the afternoon we were again fired on from these houses, and, consequently, I got the order from the Battalion Commander to search all the houses and to have all armed persons shot without compunction. On this occasion, the soldiers Hautschick and Altermann found in a house on the floor a soldier of the 9th Company of the 178th Regiment

who had been shot. He lay with his face over a kneading-trough, and had obviously been shot from behind. In the adjoining room the soldiers found two sporting-rifles which plainly bore the traces of having been discharged quite recently.

In a vineyard just above this house two men were caught with rifles by two other soldiers, whose names can no longer be ascertained, and shot.

At about the same time Acting-Sergeant-Major Paatsch (who fell at Saunois), together with Private Kaspar, broke into a house close by the castle. Kaspar depicts the occurrence in the following way. On entering the house a man on the ground floor threatened him with a long-barrelled pistol. He struck this man down with a spade which he had at hand. He then mounted with Paatsch to the first floor. Six men were there with sporting-rifles, whom they shot or felled with rifle-butts.

On the floor there stood a chair close to an attic window, beside which lay a number of cartridges, a proof that the people had fired from this window.

When they wanted to leave the house, five men armed with rifles again opposed them. They were only able to overcome these because their comrades came to their aid from outside. In executing the order given by the Battalion Commander to search all the houses, I met the Brigade Commander, who again enjoined me to proceed without any compunction, and to fire the houses in case the people could not be got hold of. On this occasion I reported that one company seemed too weak for such a task, especially as the searching of the houses, with darkness approaching, would take a lot of time. A second company was consequently given to me. During the searching of the houses we were continually being fired on by invisible marksmen. The orders given to me by my Battalion and Brigade Commanders I have carried out. Men caught in the act were shot; where the marksmen could not be seized, the houses were set on fire; women and children were taken to the convent.

This order which, by reason of the high risk run by our troops, had proved to be absolutely necessary, I regarded as executed after about fifty men had been shot and the main street of Leffe had been rendered impassable as a result of the burning houses.

Despite this, my company was again alarmed towards 11 o'clock at night because a dismounted squadron of

hussars on the quay had been fired on from a single house. Once more I moved with my company through burning Leffe in order to find the culprits. On the way I met Division Commander Edler von der Planitz, who once again impressed upon me the duty of proceeding against the fanatical francs-tireurs without any compunction whatever, and by the most energetic methods. I had the house, pointed out to me by the hussars, surrounded and searched, but found nobody there. After I had set fire to the house, I returned with my company to the place where the regiment was assembled.

Signed : WILKE, Captain and Company Leader,
6th Company, Infantry Regiment
No. 178.

Quarters of Infantry Regiment No. 178,
March 3rd, 1915.

Present :

President of the Court, SCHWEINITZ.
Secretary, LIPS.

At the inquiry concerning the events in Dinant, the witness named below appeared and stated :

As to Person : My name is Manfred Horst Wilke. I am 30 years old ; Protestant ; Captain and Company Leader, Infantry Regiment No. 178.

As to Case : On the reading of his report :

This report is in full conformity with the truth. In addition to those statements which, as may be recognised from the report, are based on the statements of others, I mention that I pointed out to the individuals whom I questioned to tell me the whole truth, so that their statements could also be maintained on oath.

Read over, approved, signed.

Signed : WILKE.

The witness was thereupon sworn.

Signed : SCHWEINITZ.

Signed : LIPS.

C. App. 27.

Sender : 7th Company, Infantry Regiment No. 178.

Date : *February 15th, 1915.*

Time : 11 a.m.

To the 2nd Battalion.

On August 23rd, 1914, towards 9.45 a.m., the 7th Company—placed at the disposal of the 3rd Battalion, which was

fighting in Leffe—marched into this place. While I rode on to report the arrival of my company to the Commander of the 3rd Battalion, 178th Regiment, the company halted on the lower road leading to the Meuse, under cover from the opposite heights of the Meuse, which were occupied by the enemy.

During this brief halt the company was assailed by a murderous rifle-fire which came from a house with closed windows and bolted door. One man (Private Uhlemann) was badly wounded in the right instep, another (Private Neumann) was slightly wounded by three shots in the arm and hand; all the wounds came from small shot; the firing could only have been done by civilians.

The company then occupied the heights south of Leffe on the east bank of the Meuse. From here could be plainly seen how, from the windows of various houses, and stealing about round the houses and in the gardens and yards, civilians quickly popped up and fired on the German soldiers. The company had lain on the heights by the Meuse about 4 hours, and had made these observations chiefly during the first 1½ hours (10.30 to 12 midday). The last facts I can bear witness to myself.

Signed: JOHN, Captain and Chief Company.

1st Battalion, Infantry Regiment No. 178.

February 19th, 1915.

Deposition.

Captain John, questioned, made the following statements, additional to his preceding report:

Before the 7th Company was placed at the disposal of the 3rd Battalion in Leffe on the morning of August 23rd, the company received the order from the Battalion Commander, Major Koch, to send out, from the halting-place of the battalion, about 500 metres east of Leffe, a detachment to La Papeterie, in order to clear this group of houses of armed civilians who had fired on marching troops and mounted officers (Captain Wilke), and to shoot the guilty civilians. For this purpose the detachment of Lieutenant of Reserve Wendt (who fell later) was detailed to me. When the detachment rejoined the company later on the heights south of Leffe, Lieutenant of Reserve Wendt reported to me that, in accordance with the order received, he had had some men shot whom he had caught in the act; they were armed with Browning pistols.

I was wounded myself on August 23rd towards 2.30 by a French rifle bullet which came from the west bank of the Meuse.

I did not observe any shooting or ill-treatment of women and children.

Read over, approved, signed.

Signed : JOHANNES JOHN.

Signed : KAISER, Lieutenant and Legal Officer.

Deposition.

Present :

Lieutenant THOMAS, as Officer of the Court.

Acting-Sergeant-Major LANGE, as Clerk of the Court.

There appeared as witness Captain John, who, being advised of his previous statement, deposed :

As to Person : My name is Wilhelm Johannes John. I am 36 years old ; Protestant ; Captain and Company Chief, 7th Company, Infantry Regiment No. 178.

As to Case : I maintain my statements.

The witness was thereupon sworn.

Read over, approved, signed.

Signed : JOHANNES JOHN.

Signed : THOMAS. Signed : LANGE.

C. App. 28.

7th Company, Infantry Regiment No. 178.

February 15th, 1915.

Report.

1. On the events in Dinant I am able, as leader at that time of the first platoon of the 5th Company, Infantry Regiment No. 178, to make from personal observation the following statements :

The 5th Company, in conjunction with the 2nd Battalion, had halted in the morning hours of August 23rd in a valley before Leffe. During this halt I heard shots from sporting-rifles and revolvers (pistols) on the wooded heights which stretch on both sides towards Leffe, without being able to discern any of our assailants. No one in the company was hit. This firing, intermingled with infantry fire, was audible during the whole course of the day. Towards 8 o'clock the company marched into Leffe, where, in consequence of the incessant firing, a frightful tumult pre-

ailed. Only a few civilians were to be seen in the streets. These all showed signs of their peaceable intention by holding up their hands. Almost all the windows of the houses were closed with blinds, shutters, etc.; and the majority of these, as well as the doors, walls, and roofs, were marked with apertures like loopholes.

Shortly after our entry Major Frenzel brought to the Company Chief the order of the Brigade Commander to shoot all the men found with arms. He pointed out a long row of houses which were to be searched for men, and added in explanation that the inhabitants had shot at our firing-line from the rear. Captain Gause gave me the order to take over the searching of the houses with my detachment. I did this with one party. We found the houses all shut up. Since our summons to open was regularly ignored, we were everywhere obliged to gain entry by force. Three men were shot; their wives and children I had taken to the convent, which had previously been pointed out to me as intended for that purpose. I also noticed during the course of the day that women and children were taken there by our men quietly, some by persuasion. In searching the houses it was seen that the apertures, everywhere visible from the outside, were doubtless intended for firearms. According to my observations, no women or children were fired upon anywhere by us. That some incidentally came to grief in the *mêlée* was not to be avoided. I saw one woman who had received a glancing bullet in the foot. According to the statement of the men, she had been wounded in a house which had been fired into because it would not open voluntarily.

2. Further observations have been made by men of the 5th Company and by the 7th Company, at that time led by myself, which seem to be absolutely authentic. The men in question, previous to their interrogation, had all been warned of the probability of having to swear to their statement.

Thus, eight men of the 5th Company were witnesses to the fact that six civilians, among them one of very youthful age, had fired on the company. These were all shot. Reservist Kluge, with some other comrades, in searching a house, found on the floor a German soldier who had been shot, and close by him a civilian busy with his rifle and ammunition, whom they shot. The observations of the non-commissioned officers and men of the 7th Company are of a similar character to those made by me. Here

Privates Uhlmann and Neumann were wounded by small shot fired from the houses. Acting-Sergeant-Major Schaefer and several men noticed that civilians (men) had fired on German soldiers. German cartridges were also found here on the civilians.

Signed: KIPPING, Lieutenant and Company Leader.

Deposition.

Present :

Lieutenant THOMAS, Officer of the Court.

Acting-Sergeant-Major LANGE, Clerk of the Court.

There appeared as witness Lieutenant Kipping, who, after the reading of his report of February 15th, 1915, stated :

As to Person : My name is Martin Friedrich Franz Kipping. I am 29 years old ; Protestant ; Lieutenant of Reserve.

As to Case : I maintain my statements.

Witness was thereupon sworn.

Read over, approved, signed.

Signed : MARTIN KIPPING.

Signed : THOMAS. Signed : LANGE.

C. App. 29.

8th Company, Infantry Regiment No. 178.

February 14th, 1915.

Report.

With reference to the fighting round Dinant on August 21st and 23rd, Non-commissioned Officer Macher, 8th Company, Infantry Regiment No. 178, states :

Towards 7 a.m. on the 23rd August 1914 the order came for the attack on Leffe, a suburb of Dinant. The 6th and 7th Companies, Infantry Regiment No. 178, occupied a height in front of the place. The 3rd Battalion of the regiment had already advanced ; the 5th and 8th Companies followed in the valley in the second line.

When we came near the place we heard in front a muffled sound of firing.

The 3rd Detachment of the 8th Company of the regiment was sent in advance to take cartridges to the 3rd Battalion. The battalion, lying on the height, was engaged with the enemy's infantry on the opposite bank of the Meuse. To

get there we were obliged to pass through Dinant. At the entry to the town there already lay dead civilians, and some soldiers warned us against passing through the place in close order as there was firing from the houses. After this, we went through the street on the right and left along by the houses, rifle in hand, ready to fire. The houses were shut up, the cellar windows barricaded and provided with loopholes. On the march back to the Company I saw that the 5th Company of the regiment and the Marburg Jägers were searching the houses; there were also lying in the street some dead civilians and a wounded German. Some men and a number of women were handed over to the platoon by a strange officer to be taken to the mill. Several civilians had already been assembled there; some dead also lay there.

After we had again reached the company we heard, coming from a farm on the right, firing which was apparently meant for us. Riflemen of the Guards fetched the people out of the farm; they were only civilians, about six men and a number of women and children.

When the company had been advanced to the open space near the convent, firing came from a house standing opposite. From this quarter also men were brought out. In the searching of the house, under the leadership of Sergeant Schuster of the 8th Company, a cellar which was occupied by civilians was not opened. Sergeant Schuster therefore fired through the door, and thereby wounded in the chest a woman who was in the cellar. As Private Jentsch also deposes, after the opening of the cellar, he immediately provided for the transport of the wounded woman to the hospital in the convent by men of the Medical Corps. According to the statement of Private Jentsch, the woman died and lay for two days on a bier in the convent.

Finally the company arranged the frontage of the houses along the Meuse for defence, and other companies undertook to clear the inhabitants out of the houses. The women and children were principally taken to the convent. Towards 10 p.m., when the baggage entered the place, the firing from the houses began again. We were given the alarm. The buildings behind us on the slopes afforded a special difficulty on account of the numerous exits. We here came in contact with a company of Infantry Regiment No. 177. The leader of the company ordered the houses to be set alight because there was still firing from other windows. He himself smashed a lamp and fired the first house. We

then marched off and returned to the company. The nocturnal firing, in my opinion, was done by civilians, for our troops had already occupied the opposite bank. In one house a dead soldier was lying on the floor, as was reported to me by men of the company.

In one street the company was fired on from the rear ; many of the men said at once that the assailant was a woman ; this, however, could not be established with certainty. Among the men seized I saw one of youthful age ; all the rest were older ; grey-haired men were also among them.

Signed : LUCIUS, 1st Lieutenant and Company Leader.

Deposition.

Present :

Lieutenant THOMAS, as Officer of the Court.

Acting-Sergeant-Major LANGE, as Clerk of the Court.

There appeared as witness Non-commissioned Officer Macher, who, having been advised of the statement read, deposed as follows :

As to Person : My name is Paul Otto Macher. I am 23 years old ; Protestant ; non-commissioned officer, Infantry Regiment No. 178.

As to Case : I maintain my statement.

Signed : MACHER, Non-commissioned Officer.

Signed : THOMAS. Signed : LANGE.

C. App. 30.

Having been apprised of the significance of the oath, and advised as to the object of the examination, Major Fränzel made the following statement :

As to Person : My name is Georg Friedrich Artur Fränzel. I am 45 years old ; Protestant ; Major and Battalion Commander, Infantry Regiment No. 178.

As to Case : On August 23rd the 2nd Battalion, as 1st, received the order to place itself in possession of Leffe. The whole of the Regimental Staff rode with the leading company. At the beginning of the valley, which stretches away to Leffe, there stood a factory ; the battalion was fired at from here and from the heights behind. The factory was at once stormed ; only a few civilians were found in it, but no French or Belgian soldiers ; any escape of the people who had fired from the factory was impossible as we had surrounded the place. The guilty civilians, provided they were men, were shot by order of the Commander of the

regiment, Colonel von Reyter, while some women arrested in the factory were handed over later to the abbot of the monastery.

On a further advance the battalion, in order to get into the gardens on this side of the Meuse which were under the fire of the enemy's infantry, was obliged to open forcibly several locked-up houses. The inhabitants seemed to have only been waiting for this, as we were now fired on from the houses all round, especially from the cellars, apparently with revolvers and pistols, for we found these later in clearing the houses, some still loaded. One of the first who was wounded by a shot from a cellar was Captain Franz, who stood quite close to me. In all, my battalion had at that time in the place itself—not by the Meuse—six killed; the number of wounded I am not able to state. The battalion was forced by the treacherous attack to proceed against the population; all the houses, from which there had been firing, were cleared by our troops. How many of the inhabitants were shot on this day, I am unable to state definitely; at any rate, all the women and children were led off to the monastery in Leffe and given over to the abbot. I have further to remark that again late in the afternoon, as our artillery was entering Leffe, the artillery-men were fired on by inhabitants of the market-place, although several francs-tireurs who had been shot were lying there. The battalion was unable to finish the clearing of the place alone, and was obliged to ask for support from the regiment, which was granted in the shape of the 6th and 7th Companies. In searching the houses, not one enemy soldier was found. Consequently, the shots could only have been discharged at us by civilians.

Read over, approved, signed.

Signed: FRÄNZEL.

The witness was sworn.

Signed: STARKE, Magistrate.

C. App. 31.

Court of the (Deputy) 64th Infantry Brigade.

Present:

Military Magistrate Dr. UHLIG.

Non-commissioned Officer of Reserve GÖRNER, as
Military Clerk of the Court.

There appeared as witness Acting-Sergeant-Major Stiebing, 3rd Reserve Company, Infantry Regiment No. 178, who,

having been made acquainted with the object of the inquiry, and advised as to the significance of the oath, declared :

As to Person : My name is Friedrich Franz Paul Stiebing. I am 34 years old ; Protestant ; Acting-Sergeant-Major, Infantry Regiment No. 178.

As to Case : On August 23rd, 1914, Infantry Regiment No. 177 and my regiment took part in the fighting on the heights on the right bank of the Meuse. The 2nd Battalion, Infantry Regiment No. 178, remained in reserve behind the left wing, just at the entry into Leffe. The battalion had halted for a rest, and arms were piled. The men lay and sat in the ditches of the road ; otherwise the order of march was kept, the 8th Company leading just at the entrance into Leffe. The 6th Company, to which I belonged, followed. It was about 9 o'clock in the morning when the battalion was suddenly overwhelmed by a heavy fire. The shots came from the thickets which covered the hills quite close to Leffe. The district is such that Leffe stretches along the road in a side-valley of the Meuse and at right angles to the latter. No uniforms were to be seen on the heights ; the firing came first from one thicket and then from another. In the meantime a Captain of the battalion had advanced into the village to reconnoitre, and came galloping back shouting that he had been fired on in the place by francs-tireurs. Thereupon two detachments of the leading company sallied out from the village to the left and right, in order to capture the sharpshooters on the hills. They succeeded after a considerable time in capturing a number of civilians (peasants), part of them in their shirt-sleeves. These had fired on us with sporting-rifles and were caught with the weapons in their hands. The range, from which they shot at us, amounted to about 100 metres. They fired down from the heights into the hollow in which we lay.

In the meantime the last detachment of the foremost company had pushed forward into the village itself. The men proceeded in quite detached formation. They were at once received by francs-tireurs firing from the various visible houses on both sides of the street. The detachment was obliged first to clear each individual house of francs-tireurs before they could again advance a little. The street door had to be smashed in and each separate room had to be captured from the francs-tireurs. About 10 a.m. two platoons of our company, one of them the 2nd Platoon under Lieutenant Schreyer, to which I belonged, came to the help of our comrades. We were obliged to fight for each

individual house, to kill the male population in them who, as far as I saw, carried rifles and fired, and to shut up the women and children in order in this way to advance gradually. Only some quite old men were found without arms. They were not killed, but locked up with the women. In the afternoon, towards 3 o'clock, the house-fighting still fluctuated, and we had not yet penetrated as far as the village square when I received the order to go back with about half a platoon and occupy the heights of the Meuse from which francs-tireurs were still firing. In executing this order, I passed a wood-sawing factory before which lay about thirty francs-tireurs who had been shot. This house had been stormed by men of my 1st Platoon. They told me in the evening that each separate room in the house had been occupied by civilians engaged in firing. The francs-tireurs had been shot according to the usages of war.

Up on the heights I did not succeed in catching a franc-tireur. Up there they were by this time very much scattered. Right under the heights lay the village. I could look straight down from above into the village street. The street-fighting was still in progress, but became less since the village in the meantime had begun to burn. On the opposite heights I saw German Jägers—I believe Marburgers—subduing armed civilians. These francs-tireurs had previously also fired on my platoon. When I returned, towards 7 o'clock in the evening, from the heights, the whole place, as far as the village square which lies on the Meuse, was in the hands of the Germans. About the whole village, also on the village square, there lay corpses of francs-tireurs. I took part in the storming of eight or ten houses. They all afforded the same picture: shots from the windows, street doors barred so that they had to be forced open, all male persons, without any military badge or uniform, armed with sporting-guns. As soon as we got into the room they dropped their weapons and held up their hands. During the street-fighting and on the heights where the civilians were firing I did not see any uniform. The civilians did not give me the impression of being soldiers in civilian clothes. They were mostly older people, 40 years old and upwards, or young fellows of 17 to 18 years; persons of 20 to 30 years I practically did not see at all.

Read over, approved, signed.

Signed: STIEBING, Acting-Sergeant-Major.

The witness was sworn.

Signed: Dr. UHLIG. Signed: GÖRNER.

C. App. 32.

Present :

Lieutenant FRANCKE, Officer of the Court.

Acting-Sergeant-Major LANGE, Military Clerk of the Court.

Acting-Sergeant-Major (Deputy Officer) Bauer states :

My name is Kurt Bauer. I am 24 years old ; Protestant ; now Acting-Sergeant-Major of Reserve, attached to 6th Company, Infantry Regiment No. 178 ; in civil life Cand. Arch.

As my company leader had been fired at from a factory in Leffe my platoon received the order to clear the factory and the houses standing in the rear. I advanced with my detachment and plainly saw that we were heavily fired on from roof windows and skylights in the roofs of the factory and the houses, as well as from bushes on the heights, by civilians armed with pistols. We stormed the houses and set them on fire. I was also witness to the fact that we were even fired on from the monastery, although the Geneva flag was hoisted above it.

Read over, approved, signed.

Signed : KURT BAUER.

The witness was sworn.

Signed : FRANCKE. Signed : LANGE.

C. App. 33.

EXTRACT from the Report of Operations, Infantry Regiment No. 103.

August 23rd, 1914.

At 4.30 in the afternoon the regiment received the order from the 32nd Infantry Brigade to move off to Leffe. The regiment halted in the ravine east of Leffe behind the pontoon column of the division. As the firing from the slopes of the ravine down into the valley was continuous, the 9th Company received the order to clear the southern slopes. One man of the regiment was severely wounded by a shot fired from a house by an inhabitant ; the house was set on fire ; the men, who were inside with weapons in their hands were shot ; in other ways, too, the place was cleared of francs-tireurs.

C. App. 34.

Present :

Lieutenant of Reserve KLEBERGER, as Officer of the Court.

Sergeant RICHTER, as Military Clerk of the Court.

ORAINVILLE, *March 17th, 1915.*

Summoned as witness, there appeared Major Langheld, who, after being advised as to the significance of the oath, made the following statement :

As to Person : My name is Karl Anton Emil Langheld. I am 43 years old ; Protestant ; Major, Infantry Regiment No. 143.

As to Case : On the afternoon of August 23rd I marched with my battalion at the head of the regiment from Lisogue to Leffe. The march from the beginning of the Leffe Valley was somewhat interrupted. During the advance the report came from the rear that a man of the 1st Company had been shot at from a house. By command of Captain Wuttig the house was set on fire by soldiers of the 1st Company, and the men who were seized in it, with weapons in their hands, were shot. During the whole of the afternoon one heard continual firing among the houses in Leffe and on the heights encircling the right and left of the Leffe Valley. A company of the Jäger Battalion, No. 11, was engaged in clearing the slopes on which there were armed inhabitants. The 9th Company of my regiment received a similar commission on the southern slope. I myself marched on with the 10th and 11th Companies to the bank of the Meuse in order to cross over there. Here I saw several times that guilty male inhabitants were shot.

On the night of the 24th, from time to time, fugitives turned up at our outposts—principally women and children—amongst them a number of nuns led by a priest. I sheltered them in a farm near which the 11th Company was in bivouac. Our men gave some of their provisions to the people, although they had only a little themselves. I pacified the fugitives myself, and as I was obliged that same night to march farther, I handed over to the priest a note to say that these people had incurred no blame. I was unable to take further trouble about them. However, I asked the Catholic Divisional Chaplain Kaiser, whom I

met next morning, to see that the people got away safely.

Read over, approved.

Witness was sworn according to regulations.

Signed: KLEBERGER, Lieutenant of Reserve and Officer of the Court.

Signed: RICHTER, Sergeant, as Clerk to the Military Court.

C. App. 35.

Present :

Lieutenant of Reserve KLEBERGER, as Officer of the Court.

Sergeant RICHTER, as Clerk of the Military Court.

ORAINVILLE, *March 17th, 1915.*

Summoned as witness, there appeared Lieutenant Richter, who, being advised as to the significance of the oath, made the following statement :

As to Person : My name is Martin Richter. I am 31 years old ; Protestant ; Lieutenant of 1st Company, Infantry Regiment No. 103.

As to Case : On the advance of the 1st Battalion of 4th Infantry Regiment No. 103 on the 23rd August 1914 to the crossing-place over the Meuse at Leffe, there came a single shot from a farm. A soldier of the 1st Company of the regiment was wounded.

By order of Captain Wuttig the farm was searched. About fourteen male civilians were arrested who had with them weapons and ammunition for sporting-rifles, pistols, etc.

A thirteen to fifteen year-old lad was released on account of his age ; the other thirteen persons were shot.

Read over, approved.

Witness was sworn as usual.

Signed : KLEBERGER, Lieutenant of Reserve and Officer of the Court.

Signed : RICHTER, Sergeant, as Clerk of the Military Court.

C. App. 36.

Present :

Lieutenant of Reserve KLEBERGER, as Officer of the Court.

Sergeant RICHTER, as Clerk of the Military Court.

ORAINVILLE, *March 17th, 1915.*

On summons there appeared as witness Lieutenant of Reserve Martin, who, being instructed as to the significance of the oath, made the following statement :

As to Person : My name is Kurt Martin. I am 24 years old ; Protestant ; Lieutenant of Reserve, 2nd Company, Infantry Regiment No. 103.

As to Case : I have seen how a German soldier was wounded by small shot, and know that he died of the effect of the injury in the castle before Leffe. The doctor who treated him was Dr. Schneider, now in Infantry Regiment No. 102.

The inhabitants of Leffe arrested in a house near the factory were well treated. After their provisions were exhausted, they were provided for from the field kitchen of the 5th Company, Infantry Regiment No. 103. They were later on released by a general order. At one time I was detailed as guard of the hospital which was located in the Château de Chession, near Leffe. The proprietress, a Madame Chiehe, and her people we also provided with food ; she expressed her warm appreciation of the kind treatment.

Read over, approved.

The witness was duly sworn.

Signed : KLEBERGER, Lieutenant of Reserve
and Officer of the Court.Signed : RICHTER, Sergeant, as Clerk of the
Military Court.

C. App. 37.

REPORT of the 8th Company, Infantry Regiment No. 178,
on the fighting round Dinant on August 21st and 23rd,
1914.

February 14th, 1915.

Private Jentsch states in general the same as the witness, Non-commissioned Officer Macher,¹ except that he actually

¹ See App. 29.

only saw a great pool of blood on a floor ; the dead German soldier, of whom he had heard, had already been concealed. He does not now know to which company he belonged. On the same day, according to his statement, a further batch of four civilians were shot because they had attacked a sentry of Infantry Regiment No. 182. These people were fetched out of an underground passage. The order was given by Lieutenant Tränker.

In the military school about 400 men in civilian clothes were guarded. These were well looked after, and were also later on allowed to receive their relations. On the fourth day we were relieved by Reserve Infantry Regiment No. 106.

Signed : LUCIUS, 1st Lieutenant and Company Leader.

Deposition.

Present :

Lieutenant THOMAS, as Officer of the Court.

Acting-Sergeant-Major LANGE, as Clerk of the Military Court.

There appeared as witness Private Jentsch, who, after the reading over of the preceding report, made the following statement :

As to Person : My name is Karl Albin Richard Jentsch. I am 22 years old ; Protestant ; private, 8th Company, Infantry Regiment No. 178.

As to Case : I maintain the correctness of my statements. The witness was thereupon sworn.

Read over, approved, signed.

Signed : JENTSCH.

Signed : THOMAS. Signed : LANGE.

C. App. 38.

Present :

Military Magistrate, HUNERSDORF.

Military Court Secretary, MÜLLER, Clerk of the Military Court.

CORBENY, *December 12th, 1914.*

In the investigation concerning the violations of International Law committed against German troops, there appeared as witness Captain Nitze, who, after reference to the significance of the oath, was examined as follows :

As to Person : My name is Otto Hermann Oswald Nitze. I am 34 years old ; Protestant ; Company Leader, Machine-Gun Company, Infantry Regiment No. 177.

As to Case : On August 23rd, 1914, as we were marching into Leffe, I found myself several hundred metres in front of the company, and was all at once fired at from the surrounding houses.

I first rode back to the company and confirmed the order already given to bring the houses under fire. I then rode to the Detachment Leader, Lieutenant-Colonel von Zeschau, reported the attack, and received the order to have the houses searched and, in case any male persons were found in them with arms, to set the houses on fire.

In the search there were discovered by Lieutenant-Colonel Reichel in my presence two persons of forty years of age who had hidden themselves in a room and were armed with a Belgian pistol and a rifle of an ancient pattern.

As I heard, a third man had also been found in the house. The first two men were immediately shot. While Lieutenant-Colonel Reichel went on farther to search other houses I saw how at least eight rifles were discharging on the search-parties a brisk fire from the first floors of at least two houses. The marksmen stood behind windows barricaded with mattresses. I saw the flash of the shots and heard the bullets whistle ; as far as I could judge from the reports, they were using partly bullets, partly small shot. Only the horse of Assistant Doctor Sippel was wounded.

Read over, approved, signed.

Signed : NITZE.

The witness was sworn.

Signed : HUNERSDORF. Signed : MÜLLER.

C. App. 39.

EXTRACT from the Report of the 3rd Field Pioneer Company.

August 23rd, 1914.

The patrols were heavily fired on from the houses and from the other bank.

The company advanced with the pontoon waggons on the steep, narrow road into Dinant behind Rifle (Fusilier) Regiment No. 108 and Infantry Regiment No. 182.

There was firing from the houses, although one could see little of the enemy. The company took part in searching the houses for civilians ; some were arrested with arms in

their hands and subsequently shot. The infantry had considerable losses here.

The order came to evacuate the town as it was to be first bombarded by our artillery.

The company, with Grenadier Regiment No. 101, reached the Meuse at Les Rivages. The village appeared to be quite peaceful; nevertheless, a number of inhabitants were arrested by the Grenadiers for security. The rifle-fire of the enemy on the left bank was only very weak. The houses over there burst into flames, one after another, as a result of our artillery fire. The crossing began at once with a half-column corps, Pontoon train, Train Battalion No. 12, which had been assigned to the company; the building of the bridge was at once begun, and at first proceeded rapidly.

Suddenly we received heavy rifle-fire from the houses on the right bank. The firing was briskly answered by the Grenadiers who were waiting in dense masses to cross. The houses were set on fire. On the afternoon of August 24th the bridge was finished. In the meantime, it frequently happened that firing came from the heights, and even from the cellar of a burnt-out house. In such cases, civilians caught with arms in their hands were shot.

C. App. 40.

Present :

President of the Court, SCHWEINITZ.
Secretary, LIPS.

INVINCOURT, *March 1st, 1915.*

In the matter for inquiry concerning the events in Dinant there appeared as witness Major von Zeschau, who stated :

As to Person : My name is Arnd Maximilian Ernst von Zeschau. I am 41 years old; Protestant; Major and Battalion Commander, Grenadier Regiment No. 101.

As to Case : On August 23rd, 1914, towards 6 o'clock in the afternoon, I, with my 11th Company, reached the Meuse at Les Rivages, and was at once taken across. I had the order to gain the heights on the other bank, to the right of the 2nd Company, which had already been put across. Opposite Les Rivages were connected rows of houses. We first went downstream as far as the church, and then turned off to the right. I passed with a detachment through a very narrow lane; the shop windows and house doors were

closed. Suddenly four to five shots came from behind me. My men at once broke open the house from which the shots were fired. The house was empty ; at the back was a small yard with a washhouse. In the yard lay a discharged sporting-gun.

Going farther, we came to a railway embankment through which ran a culvert. Before it lay a dead civilian with a weapon like a carbine. On the other side of the embankment was Lieutenant von Oer, who shouted to me that he had been fired at from the culvert. In the culvert I noticed some people ; a few paces in front of the culvert crouched some of my men with rifles at the ready, and, on my question, reported that there had been firing from the culvert. I shouted into the culvert, "Sortez, on ne vous fera rien." As the people did not come out, I caused about five to six men to fire some shots, ten to twelve in all, into the culvert. As there arose a great outcry in the culvert, I left a non-commissioned officer behind to clear it. This officer reported to me next morning that he had fetched out about thirty-five to forty civilians, men, half-grown lads, women, and children, and with them a number of weapons—he told me there were about eight to ten carbine-shaped weapons. The captured civilians were handed over at the bridge-head. About 200 metres behind the railway embankment I came into fighting contact with the French infantry.

Read over, approved, signed.

Signed : VON ZESCHAU.

The witness was thereupon sworn.

Signed : SCHWEINITZ.

Signed : LIPS.

C. App. 41.

Present :

President of the Court, OERTEL.

Secretary, Acting-Sergeant-Major SOMMERBURG.

PROVISEUX, *March 2nd, 1915.*

There appeared as witness for examination Non-commissioned Officer Faber, who, after reference to the significance and sanctity of the oath, was examined as follows :

As to Person : My name is Kurt Friedrich Faber, non-commissioned officer, 10th Company, Grenadier Regiment No. 101. I am 22 years old ; Protestant.

As to Case : According to my war-diary, I crossed the

Meuse at Dinant on Sunday, August 23rd, 1914, at 6.5 p.m. in company with Major von Zeschau and about three detachments of Grenadiers. We were bound for the ridge of hills lying opposite, as these were said to be occupied by the enemy. On my way thither I noticed in a side-street that a woman discharged shots at us from a revolver from a half-opened door. I thereupon fired at the woman, who quickly banged the door to. I do not know whether I hit her.

Read over, approved, signed.

Signed : KURT FRIEDRICH FABER.

The witness was thereupon sworn.

Signed : OERTEL, Lieutenant and Officer of the Court.

Signed : SOMMERBURG, Acting-Sergeant-Major and Clerk of the Court.

C. App. 42.

Present :

President of the Court, Lieutenant of Landwehr
OERTEL.

Secretary, Acting-Sergeant-Major SOMMERBURG.

PROVISEUX, *March 2nd, 1915.*

There appeared as witness for examination Grenadier Schlosser, who, after reference to the significance and sanctity of the oath, was examined as follows :

As to Person : My name is Franz Otto Schlosser, Grenadier, 10th Company, Grenadier Regiment No. 101; 22 years old ; Protestant.

As to Case : On the afternoon of August 23rd, 1914, I crossed the Meuse at Dinant in a boat with Captain Graisevsky, Lieutenant von der Decken, and men of the 10th Company, Grenadier Regiment No. 101. When we were about the middle of the river, there began a heavy fire on us from various directions. On the other bank we occupied, by order of the Captain, a trench, and there received a heavy fire from the houses which were on the right and left of us. I saw with my own eyes that several women stood at the window of a house and discharged shots at us. We then received the order from the Captain to fetch the occupants from the houses, and brought about twenty persons out, I believe, only women and children.

These were brought down as prisoners to the Meuse. We then set fire to the houses.

Read over, approved, signed.

Signed : FRANZ OTTO SCHLOSSER.

The witness was thereupon sworn.

Signed : OERTEL, Lieutenant and Officer of the Court.

Signed : SOMMERBURG, Acting-Sergeant-Major and Clerk of the Military Court.

C. App. 43.

EXTRACT from the Report of Grenadier Regiment No. 101,
22nd to the 30th August 1914.

August 23rd, 1914.

The Mayor of Les Rivages appears and protests that none of the inhabitants are in possession of weapons, and that no attack would take place on the troops.

After the Divisional Bridge (Pontoon) Train had arrived, the Pioneers begin the construction of a bridge over the Meuse, but a heavy enemy fire, partly from infantry, partly from the inhabitants on the opposite bank, perforates the pontoons and makes any further construction impossible.

At first the 11th Company is put across the Meuse and proceeds on a broad front through Leffe, where they are fired on from the houses and from the railway embankment. Several civilians, who fired on the company from places of concealment, are shot ; the houses are set on fire.

Following the 2nd Company the remaining companies of the 1st Battalion have also reached Les Rivages. Whilst the battalion is standing by the Meuse to cross over, it is attacked from the houses by the inhabitants of the place. From all the windows, from the hedges of the gardens, from the slopes of the hills, bullets and shot from the rifles of the inhabitants rattle down on the companies.

The battalion at once received the order to take up the fight against the fanatical inhabitants of the place. With fixed bayonets, the Grenadiers rush through the narrow streets ; with pick-axes and axes the closed doors and windows are burst open. In groups the Grenadiers force their way into the houses in order to seize the occupants who are still firing on us. Not only men and youths take part in the fighting, but also old men, women, and children.

The francs-tireurs have well chosen their hiding-places. Already twilight is falling, but still the fire of the enemy does not abate.

Our object is to reach the other bank of the Meuse, but, on the other hand, the troops and columns which follow us must be able to pass through the place without being attacked anew. Thus there only remains one remedy, to set the place on fire, and soon it is a sea of flames.

C. App. 44.

REPORT on the Street-fighting in Les Rivages (Dinant)
on August 23rd, 1914.

The companies of the 1st Battalion of Grenadier Regiment No. 101 had reached Les Rivages in the afternoon of August 23rd, 1914, but had to be retired for about 600 to 800 metres on the road from Pont de Pierre on account of our own artillery having opened a heavy fire on this locality. The Mayor of the place, who was fetched up by me, protested that there were no weapons at hand, and that the inhabitants entertained no plot against our troops. He was commissioned to have ready, within a fixed time, bread and butter for the companies at the outlet of the place, where later the bridge was thrown over the Meuse. The companies did not get there to enjoy these, since, in the meantime, the 2nd Company had crossed over and the remaining companies were involved in the street-fighting.

When the companies, after the cessation of our artillery fire, had again been led out to Les Rivages and had been divided into commandos to receive the victuals asked for, the inhabitants began a murderous fire on the companies from all the houses and gardens and also from the hill-slopes. Inside and outside the houses, men of all ages were firing, also innumerable women and even girls of ten years of age. Here a woman was severely wounded in the breast by the inhabitants, and was bandaged by us.

The battalion received the order to take up the fight against the inhabitants of the place, who were firing as if demented; for this purpose the 3rd and 4th Companies pushed forward to the street- and house-fighting, whilst portions of the 1st Company remained on the river-bank. A part of the inhabitants who were acting in a particularly mean fashion and were firing madly with all kinds of fire-arms, without let or hindrance, upon our troops, were shot

down to the number of about twenty ; amongst these were some women who, with special cunning, fired again and again into the companies from the rear. This shooting was done to defend ourselves and to scare the inhabitants from any further atrocities. About 100 to 150 men and women, also children, were seized and taken over the Meuse to the opposite bank by the first rope-ferries, partly to prevent further outrages, partly to remove them, as far as they appeared innocent, from the terrible fighting.

The fighting of the 3rd and 4th Companies in the streets lasted until far into the darkness, until finally the burning of the whole place put a stop to the general activity of the population.

The order to take up the street-fighting by direction of the regiment came through me and was detailed by me to the 3rd and 4th Companies. I, for my part, can only protest that the inhabitants of the place—men of every age women and girls—fired madly on us at a given signal, and that the remedy taken only constituted an act of self-defence. The situation in which the troops found themselves, especially at the spot where the bridge was later thrown across, deserves, in every true sense, the name of a witches' cauldron, for a worse situation, brought about by a raging force of men and women, cannot be imagined. Despite all the dreadful impressions of such fighting, I have since always admired the calmness our men maintained in the presence of such brutes, far removed from any thought of cruelty, even though they themselves were exposed to the worst.

Signed : SCHLICK, Major and Commander,
1st Battalion, Grenadier Regiment
No. 101.

C. App. 45.

Present :

President of the Court, SCHWEINITZ.
Secretary, LIPS.

NEUFCHÂTEL, *March 2nd*, 1915.

In the inquiry concerning the events in Dinant there appeared as witness Major von Zeschau, who stated :

As to Person : My name is Karl Adolf Heinrich von Zeschau. I am 46 years old ; Protestant ; Major and Adjutant, General Command, XII. Army Corps.

As to Case : On the 23rd of August 1914 I arrived at the Meuse in Les Rivages at 6 p.m. All the houses were

closed; none of the inhabitants were to be seen. The Grenadiers stood in column of route on the by-road which enters Les Rivages, the head of the column at the valley road. I inquired whether the houses had been searched. Thereupon a patrol was dispatched to search the houses, and an acting-sergeant-major reported to me that the houses were empty. I stayed there about a quarter of an hour and watched the effect of our artillery on the houses on the left bank of the Meuse. At this time there came along by the valley road from Dinant a number of inhabitants—men, women, and children—who were held up by the Grenadiers.

As the bridge was half finished and some pontoons with Grenadiers were at the opposite bank, my task was finished and I returned to the Commanding General. When I again returned to the bridge-head at Les Rivages there lay there a heap of corpses. I learned that shortly after my departure there had been firing from the seemingly empty houses. In the night several hundred inhabitants who had come from Dinant arrived at the crossing-place. These were well treated; many women and children were also provided with provisions by the soldiers.

Read over, approved, signed.

Signed: VON ZESCHAU.

The witness was thereupon sworn.

Signed: SCHWEINITZ. Signed: LIPS.

C. App. 46.

Present:

President of the Court, SCHWEINITZ.

Secretary, LIPS.

NEUFCHÂTEL, *February 19th, 1915.*

In the matter for inquiry concerning the events in Dinant there appeared as witness Captain Reserve Ermisch, who stated:

As to Person: My name is Karl Traugott Hubert Ludwig Ermisch. I am 37 years old; Protestant; engineer (with diploma), director of mines, now Captain of Reserve, 1st Field Pioneer Company.

As to Case: On August 23rd, 1914, I was with the 3rd Company of the Pioneer Battalion No. 12, and present when the pontoons of the Corps Bridging Train, at first brought down to Dinant, were obliged to turn back. We

then made a detour into the valley road which leads to Les Rivages; from there I was sent out to reconnoitre the place for the bridge. In Les Rivages all was peaceful. Neither French nor German soldiers were to be seen. When I had been there about one hour, my company arrived with the bridging waggons and other German soldiers. These rounded up the civilian population standing near as hostages. In the meantime, I commenced with the construction of the bridge. Somewhere about 4 or 5 o'clock we suddenly received a tolerably heavy fire, which was directed straight towards us at the bridge-head. We were forced to conceal ourselves under the cover of the bridge. I noticed plainly that the firing came from the slopes to the right and left of the flanking valley, and particularly from a red house not far from the Bayard Rock, which stands near the north of Les Rivages. In consequence, the hostages were shot by direction of a senior Grenadier officer.

Read over, approved, signed.

Signed : ERMISCH.

The witness was thereupon sworn.

Signed : SCHWEINITZ.

Signed : LIPS.

C. App. 47.

Present :

President of the Court, SCHWEINITZ.

Secretary, LIPS.

NEUFCHÂTEL, *March 2nd*, 1915.

In the inquiry concerning the events in Dinant there appeared as witness, 1st Lieutenant of Reserve Freiherr von Rochow, who stated :

As to Person : My name is Heinrich Bernhard Wichart Freiherr von Rochow. I am 30 years old; Protestant; 1st Lieutenant of Reserve Uhlán Regiment No. 17, now Commander of the Cavalry Staff Escort of the General Command, XII. Army Corps.

As to Case : On August 23rd, 1914, I reached Les Rivages at nightfall, and saw at the crossing-place a great heap of corpses. In the course of the evening, when the crossing was in progress and things had become quieter, we saw that some wounded were among them. These were brought away. I myself saw a girl of about eight years with an injured face, and an older woman with a shot in the upper part of the thigh taken to the women prisoners and handed

over to the doctor. I remained until the bridge was finished the next day. Up till then shots were being fired again and again, obviously by the inhabitants. The houses were searched by field-police. The people who were in them were examined, and in the course of this I also acted as interpreter. Two men, from whose house there had been firing, and in whose pockets ammunition was found, were shot. A woman was not shot, although a loaded revolver was found on her, because her guilt was not fully established.

The guilt of every single person was dispassionately considered by the officers present.

Read over, approved, signed.

Signed: Freiherr VON ROCHOW.

The witness was thereupon sworn.

Signed: SCHWEINITZ. Signed: LIPS.

C. App. 48.

Present :

President of the Court, SCHWEINITZ.

Secretary, LIPS.

NEUFCHÂTEL, *March 2nd*, 1915.

In the inquiry concerning the events in Dinant there appeared as witness Major Steinhoff, who stated :

As to Person : My name is Fritz Eugen Steinhoff. I am 48 years old ; Protestant ; Major and Commander of Pioneers, XII. Army Corps.

As to Case : On August 23rd, 1914, about 5 o'clock in the afternoon, I came to the crossing-place at Les Rivages, where there was no one except an officer's patrol of the Pioneers. I went as far as the bank, and then on about 100 metres towards Anseremme. Various soldiers pointed out to me that there was firing from the bridge, and from the houses near the bridge. Wounded soldiers lay in the street. I was also fired at, and other soldiers warned me against proceeding farther.

I went back to the crossing-place, and there met Colonel Meister, to whom I reported my observations. He had the district cleared by a detachment, which brought in a large number of men and women. Of these, the men were placed by a wall at the crossing-place, the women and children somewhat farther downstream. The crossing and building of the bridge was now in progress. When the bridge had

been pushed out about 40 metres, a heavy rifle-fire was delivered from the houses of Les Rivages and from the rocks above on the waiting Grenadiers and the Pioneers at work. I myself heard the whistle, on a rough estimate, of 100 bullets. A great confusion ensued. Everybody sought cover, and work was interrupted. Even the Grenadiers, who stood there in a mass, were in great agitation. I went again through a garden-plot to the Meuse in order to look after the Pioneers. At this moment the fire of the enemy flared up, and simultaneously I heard a couple of rapid volleys in the immediate vicinity.

I thereupon went back and saw at the spot, where previously the captured men had stood, a heap of corpses. From that moment onwards the francs-tireurs' firing ceased completely, and the bridging work proceeded undisturbed.

Read over, approved, signed.

Signed : STEINHOFF.

The witness was thereupon sworn.

Signed : SCHWEINITZ.

Signed : LIPS.

C. App. 49.

Present :

President of the Court, SCHWEINITZ.

Secretary, LIPS.

NEUFCHÂTEL, *February 18th, 1915.*

In the inquiry concerning the events in Dinant there appeared as witness the Divisional Chaplain, Dr. Kaiser, who stated :

As to Person : My name is Dr. Paul Kaiser. I am 52 years old ; Roman Catholic Divisional Chaplain of the 32nd Infantry Division.

As to Case : I lay in Leffe from the evening of the 23rd until the morning of the 25th August. On the afternoon of the 24th August, a Captain of my acquaintance invited me to eat a plate of soup with him. This took place in a courtyard where, besides ourselves, were the Captain's servant, who was cooking the soup there, and two or three units who were pottering about round a freight-automobile. All at once some shots were heard and missiles flew quite close over us. Everyone was naturally excited. In the direction from which the shots presumably came, stood a fairly new brick-built house, distant about 100 metres. Between the first floor and the attic was a

white ledge in which one could see several holes, and from which arose smoke, evidently from a shot which had just been discharged. As I learned, the house was then searched. Shortly afterwards, a whole procession of civilians, men and women, were led off by us; these persons, as I was told, had all been arrested in the house. They were then handed over to the Cadet School, which was used as a prison.

Read over, approved, signed.

Signed: Dr. KAISER.

The witness was thereupon sworn.

Signed: SCHWEINITZ. Signed: LIPS.

C. App. 51.

Present:

President of the Court, SCHWEINITZ.

Secretary, LIPS.

NEUFCHÂTEL, *February 18th, 1915.*

In the matter for inquiry concerning the events in Dinant, there appeared as witness Staff-Surgeon Dr. Petrenz, who, after the importance of the oath had been pointed out to him, was examined as follows:

My name is Max Georg Hand Petrenz. I am 36 years old; Roman Catholic; by profession Dr. med., Staff-Surgeon with the Commander of the Train, XIIth Army Corps.

Questioned on the subject of his examination, he stated the following:

On August 21st and 22nd, 1914, I was in Taviet; on August 23rd the mounted echelon of the General Command started off and reached the Meuse at Les Rivages towards 10 o'clock in the evening. As I learned, the village of Sorinnes had been cleared on August 22nd of all the men and suspicious characters by our troops. When I came to Sorinnes early on the 23rd August I saw a burning house surrounded by our troops. I learned that passing hussars had been fired on from the house, that the house had been searched for the marksmen without result, and that in order to smoke them out of their hiding-places the house had been set on fire. I related this when I had ridden back again to Taviet, to my billet-landlady, a woman of the middle class. She gave it as her opinion that they were certainly, some of them, once more from

Dinant. She related further, that suspicious characters had been sent out from Dinant to the surrounding districts; if these did anything to the German troops, the blame was put upon the inhabitants. I gathered from her words that the resistance to the German troops was directly organised in Dinant.

Our mounted escort set out from Taviet at three in the afternoon, made a halt for some time to the south of the Sorinnes-Dinant road, and carried out the descent to the Meuse in the ravine which leads to Les Rivages. We reached this point when it was already dark. In the night there came here a large number of women and children who really wanted to go still farther south. As this was attended with great danger, because everything on the way was burning, we detained them there and sheltered them in a large empty house, just opposite the pontoon bridge, where they were safe from the danger of fire. Besides myself, a number of Grenadier officers of the (Guards) Grenadier Regiment No. 100 also looked after the sheltering of the women and children. The next morning, at my request, all the women and children were provided with warm coffee by Captain von Criegern.

On the bank of the Meuse, between the river and a garden wall, there lay close to the left of the pontoon bridge a heap of civilians who had been shot; how many I do not know—I estimate the number at from thirty to forty. I do not know who had shot them. I have heard that the Grenadier Regiment No. 101 had carried out an execution there. Among those who had been shot were also some women; by far the majority were young lads. Under the pile I discovered a girl of about five years old, alive and quite uninjured. I took her out and brought her to the house where the women were. She accepted some chocolate, was quite pleased and evidently quite unconscious of the gravity of the situation. I thereupon examined the pile of corpses to see if any more children were among them. I only found further a girl of about ten years with a wound in the leg. I had her bandaged and lodged her with the women also. The next morning she was almost without pain. It turned out that the mother of the girl was among the women who had come from Dinant. The mother and daughter were very grateful to me.

The pile of corpses was so situated that it could not be seen from the house in which the women and children were

lodged. When I was getting ready at 9 o'clock the next morning for marching off, Pioneers were about to dig a common grave for the bodies behind the garden wall, before which they lay. It was in an orchard. I convinced myself personally and by daylight that only the dead lay there. Any mistake of burying alive is precluded.

Further, I will cite the following :

In the course of the night I was requested by a Grenadier officer to take a wounded civilian from a house in danger of fire into a safe place. The man had a bullet wound in the upper thigh ; he belonged to the better class. He told the Grenadier officers that he had been shot by Belgian francs-tireurs because he would not grant them a hiding-place in his house. He had been bandaged by our people, and was now carried into the house to the women.

The next morning, after crossing the Meuse, we rode along the left bank in order to gain the road to Onhaye. The bank lying opposite, as well as the houses of Dinant, seemed deserted. Only in the doorway of some hotel stood a civilian who aimed a rifle at us and fired, without making a hit. When we replied with revolver shots he disappeared.

Read over, approved, signed.

Signed : Dr. PETRENZ.

The witness was thereupon sworn.

Signed : SCHWEINITZ.

Signed : LIPS.

C. App. 52.

Present :

Lieutenant of Reserve KLEBERGER, as Officer of the Court.

Sergeant RICHTER, as Clerk of the Military Court.

ORAINVILLE, *March 17th, 1915.*

Summoned as witness there appeared Private Steglich, who, after the importance of the oath had been pointed out to him, made the following statement :

As to Person : My name is Willy Steglich. I am 22 years old ; Protestant ; by calling bricklayer in Mügeln, now private in the Machine-Gun Company, Infantry Regiment No. 103.

As to Case : With Acting-Sergeant-Major and some other men—there were also present some Marburg Jäger—I

fetched the occupants out of a house in Dinant which had been wrecked by the impact of a shell, and set them at liberty. There were men, women, and children. They were then brought to a house where, at the instigation of an officer of the Marburg Jäger, they were protected and looked after by two Red Cross nurses.

In various houses in Dinant we found a quantity of small-shot ammunition lying piled up by the windows; everywhere the lowest pane was broken, evidently to allow a rifle to be pushed through the opening.

Read over, approved.

The witness was thereupon sworn.

Signed: KLEBERGER, Lieutenant of Reserve
and Officer of the Court.

Signed: Sergeant RICHTER, as Clerk of the
Court.

C. App. 53.

Present:

Lieutenant of Reserve KLEBERGER, as Officer of
the Court.

Sergeant RICHTER, as Clerk of the Court.

ORAINVILLE, *March 17th*, 1915.

Summoned as witness there appeared Acting-Sergeant-Major Bartsch, who, after the importance of the oath had been pointed out to him, made the following statement:

As to Person: My name is Erich Bartsch. I am 25 years old; Protestant; Acting-Sergeant-Major in the Machine-Gun Company, Infantry Regiment No. 103.

As to Case: As patrol leader I found in a series of houses in Dinant sporting ammunition lying all ready, from which it may with certainty be assumed that it had been used by the francs-tireurs before their expulsion, as ammunition for firing on the German troops.

From the streets I saw inhabitants in the cellars of burning houses, chiefly women and children, who were no longer able to save themselves from their perilous position. Through the men of my patrol, in company with the Marburg Jäger, their rescue was made possible, and the persons saved were lodged in houses which were guarded by German troops. At times the work of rescue could only be carried out with great danger to life on the part of the patrol.

I myself was witness to the fact that Sisters of Mercy, in company with German soldiers, fetched along provisions for the inhabitants who had been given protection.

I was also present when Colonel Hoch sent all non-interested persons to their homes, with the strict injunction not to let themselves be seen in the streets.

For the other inhabitants whose houses had been completely burned down, lodging was procured in the houses of the railway signalmen.

Close to Dinant a bullet was found by a hussar in the leaden centre of which a spear-shaped steel blade had been inserted. This missile was passed round in my platoon.

Read over, approved.

The witness was thereupon sworn.

Signed : KLEBERGER, Lieutenant of Reserve
and Officer of the Court.

Signed : Sergeant RICHTER, as Clerk of the
Military Court.

C. App. 54.

Present :

Lieutenant of Reserve KLEBERGER, as Officer of
the Court.

Sergeant RICHTER, as Clerk of the Military Court.

ORAINVILLE, *March 17th*, 1915.

Summoned as witness there appeared Reservist Hentschel, who, after the importance of the oath had been pointed out to him, made the following statement :

As to Person : My name is Alfred Hentschel. I am 25 years old ; Protestant ; by trade a butcher in Dresden, now Reservist, 9th Company, Infantry Regiment No. 103.

As to Case : In a house in Dinant which stood at the right of the bridge I found a severely wounded civilian, an old man with white hair, who still had his sporting rifle with him. I also came across civilians farther on in Belgium who had fired on the German troops with sporting rifles. In a village beyond Dinant, which cannot be very far from Dinant, I had my right hand injured by shot-wounds. The shot are probably still in the fingers.

On this side of the Meuse, where a convent stood, we

distributed bread and what else we still had (cold meat, etc.) to the population, women and children, also men.

Read over, approved.

The witness was thereupon duly sworn.

Signed : KLEBERGER, Lieutenant of Reserve and Officer of the Court.

Signed : Sergeant RICHTER, as Clerk of the Military Court.

C. App. 55.

Rifle (Fusilier) Regiment No. 108, Officer of the Court I.

LA VILLE-AUX-BOIS, *January 20th, 1915.*

There appeared Assistant Surgeon of Reserve, Dr. Sorge, 1st Battalion, Rifle (Fusilier) Regiment No. 108, who, being warned to speak the truth, made the following statement :

As to Person : My name is Kurt Hermann Georg Sorge. I am 27 years old ; Protestant ; 1st Assistant Surgeon of the Ear Department of the town Infirmary of Friedrichstadt, Dresden.

As to Case : During the fighting of the 1st Battalion, Rifle Regiment No. 108, near and in Dinant, I was always in the immediate neighbourhood of the troops engaged. I have repeatedly bandaged riflemen whose injuries were to be ascribed to non-military rifles (shot-wounds).

Women, children, and old men were always spared. The burial of the inhabitants who had been shot, as far as my sphere of work extended, never took place on the same day. I have, moreover, repeatedly seen that bread and drink were handed to various inhabitants by the riflemen.

Read over, approved, signed.

Signed : Dr. K. SORGE, Assistant Surgeon of Reserve, 1st Battalion, Rifle (Fusilier) Regiment No. 108.

The witness was thereupon sworn.

Signed : GLASER, Lieutenant of Reserve, Adjutant, 1st Battalion, Rifle (Fusilier) Regiment No. 108, as Officer of the Military Court.

C. App. 56.

WOOD SOUTH-WEST OF LA VILLE-AUX-BOIS,
February 5th, 1915.

By order of Rifle (Fusilier) Regiment "Prinz Georg" there appeared as witness Non-commissioned Officer Lauterbach, who, being warned to speak the whole truth, made the following statement :

As to Person : My name is Paul Rudolf Lauterbach. I am 27 years old ; Protestant ; by trade mechanician, now non-commissioned officer, 10th Company, Rifle (Fusilier) Regiment No. 108.

As to Case : When, on our advance with the company, from the fort we had reached the Sorinnes-Dinant road in Dinant, I distinctly saw how a woman, standing at full height at a window, fired on the German soldiers with a rifle. The woman was immediately shot by a German soldier, and fell with the upper part of her body on the window-sill.

Volleys of rifle-fire were discharged from a remarkably large house on the west bank of the Meuse which was flying the Red Cross flag.

South of the Dinant-Sorinnes road by the Meuse, at a place which I am no longer able to fix, I saw lying there the charred body of a German Jäger whose feet were bound together with wire.

Read over, approved, signed.

Signed : PAUL RUDOLF LAUTERBACH.

The witness was thereupon sworn.

Signed : LOSSOW, Lieutenant and Officer of the Court.

Signed : SCHUBERT, Clerk of the Military Court.

C. App. 57.

(Guards) Grenadier Regiment No. 100, 2nd Battalion.

WILLMSBARACKEN, *January 31st, 1915.*

Deposition concerning the wounding by the discharge of (small) shot in Dinant.

There appeared as witness Grenadier Bischoff, who, being warned to speak the truth, made the following statement :

As to Person : My name is Karl Bischoff. I was born on January 18th, 1893, at Dürschau, near Zittau; Protestant; by trade butcher.

As to Case : When the 7th Company was marching through Dinant at about 7 o'clock p.m. on August 23rd we were fired on from two houses. I was struck in the left arm and the left leg. An examination of the wounds in the leg showed that they resulted from a discharge of small shot.

In the Carolahaus in Dresden a small round bullet was removed in an operation by Dr. Kretzschmar from the left foot; besides this a pellet was located in the left upper thigh, and is still there. On December 10th I returned again to the 7th Company.

Read over, approved, signed.

Signed : KARL BISCHOFF.

The witness was thereupon sworn.

Signed : V. LOEBEN, Lieutenant and Officer of the Court.

Signed : BAIER, Non-commissioned Officer and Clerk of the Court.

C. App. 58.

Present :

Lieutenant of Landwehr OERTEL, as Officer of the Court.

Acting-Sergeant-Major SOMMERBURG, as Clerk of the Court.

PROVISEUX, *March 2nd, 1915.*

There appeared for examination as witness Deputy-Officer Ebert, who, after the importance of the oath had been pointed out to him, made the following statement :

As to Person : My name is Eduard Kurt Ebert, Deputy-Officer, Acting-Sergeant-Major, 11th Company, Grenadier Regiment No. 101; 33 years old; Protestant.

As to Case : On August 23rd, 1914, I came back early, towards 9 o'clock, from a patrol which I had undertaken on the previous evening from before Château Reux to Dinant in company with Lieutenant Schurig and some men of the 9th and 12th Companies of my regiment, which lay in readiness about half an hour's distance from Dinant. On the way back from Dinant to the regiment we found at the end of the town a non-commissioned officer and six men of Rifle Regiment No. 108 lying dead in the road. Some of

the dead showed wounds on the face and chest, which Lieutenant Schurig, as well as myself, recognised without doubt as having been caused by small shot.

On the evening of the same day, probably about 5 p.m., I stood with the 12th Company of Grenadier Regiment No. 101 in the street on the bank of the Meuse below the place where the bridge was being built. All at once a heavy fire was opened on us from all sides, especially from above. A man of the 12th Company, who stood beside me, received a shot in the stock of the rifle. I removed the missile myself from the wood; it was a small round bullet. The firing then died down, and I was put across the Meuse. After I had crossed over, I received the order from Lieutenant and Adjutant Stark to guard the civilian prisoners who had been rounded up there, and later the military prisoners also. I then saw how men of my guard handed water to the captive women and children and gave them chocolate. I myself bandaged a wounded French sergeant.

Read over, approved, signed.

Signed: EDUARD KURT EBERT.

The witness Ebert was thereupon sworn.

Signed: OERTEL, Lieutenant of Reserve and Officer of the Court.

Signed: SOMMERBURG, Acting-Sergeant-Major and Clerk of the Military Court.

C. App. 59.

Present :

Lieutenant of Reserve DACHSEL, as Officer of the Court.

Non-commissioned Officer of Reserve STEIGER, as Clerk of the Court.

LA VILLE-AUX-BOIS PRÈS PONTAVERT,
March 6th, 1915.

At the request of the Imperial German Court of Justice of the General Government in Belgium there appeared by order, as witness, Medical-Corps Non-commissioned Officer Rost, who, after the importance of the oath had been pointed out to him, and he had been warned to speak the truth, made the following statement :

As to Person : My name is Paul Richard Rost, Medical-

Corps Non-commissioned Officer, 6th Company, Rifle (Fusilier) Regiment No. 108; 25 years old; Protestant.

As to Case: When I was attending the wounded in Dinant on the night of August 21st and 22nd, I noticed that behind the men, some in their shirt-sleeves, who were firing from the windows, the heads of women were also visible.

The next day I saw in the courtyard of the Château of Sorinnes, among the dead lying there on biers, Corporal Kirchhof of my company. He had an injury to the skull which could only have originated from a blunt instrument. The brain-pan was quite smashed in.

On August 23rd I found on a detached estate near Dinant, close by the road which leads from Sorinnes to Dinant, a German soldier almost completely carbonised, lying under a burnt heap of straw. He appeared to be a Jäger, judging from portions of his equipment which lay near. I was told by comrades that a second Jäger had been found in a field in the vicinity of Dinant, with his face burnt. The estate, where I found the Jäger, had been organised as a dressing-station for wounds.

Read over, approved, signed.

Signed: PAUL RICHARD ROST.

The witness was thereupon sworn.

Signed: DACHSEL. Signed: STEIGER.

C. App. 60.

Present:

Lieutenant of Reserve DACHSEL, as Officer of the Court.

Non-commissioned Officer STEIGER, as Clerk of the Court.

LA VILLE-AUX-BOIS PRÈS PONTAVERT,
March 6th, 1915.

At the request of the Imperial German Court of Justice of the General Government in Belgium, there appeared by order, as witness, Rifleman Lange, who, after the importance of the oath had been pointed out to him; and he had been warned to speak the truth, made the following statement:

As to Person: My name is Emil Bruno Lange, Rifleman of Reserve, 7th Company, Rifle (Fusilier) Regiment No. 108; 25 years old; Protestant.

As to Case : In the night-fighting at Dinant on August 21st I saw an elderly woman firing at us from a house which was brightly lighted up by a lamp burning in the street. After some time she fell backwards ; apparently she had been hit by us.

Read over, approved, signed.

Signed : EMIL BRUNO LANGE.

The witness was thereupon sworn.

Signed : DACHSEL. Signed : STEIGER.

C. App. 61.

Present :

Lieutenant of Reserve DACHSEL, as Officer of the Court.

Non-commissioned Officer of Reserve STEIGER, as Clerk of the Court.

LA VILLE-AUX-BOIS PRÈS PONTAVERT,
March 6th, 1915.

By request of the Imperial German Court of Justice of the General Government in Belgium, there appeared by order, as witness, Rifleman Vorwieger, who, after the importance of the oath had been pointed out to him, and he had been warned to speak the truth, made the following statement :

As to Person : My name is Paul Vorwieder, Rifleman, 6th Company, Rifle (Fusilier) Regiment No. 108 ; 20 years old ; Protestant.

As to Case : In the street-fighting in Dinant on August 21st I saw in a house, which I was just about to enter, a woman about thirty years of age standing with a revolver in her hand, ready to fire.

On August 23rd I found in an open field, about 600 metres from Dinant, a dead Saxon Jäger—I recognised him as such by his uniform—with face completely carbonised. He lay on his back, his arms widely extended.

Read over, approved, signed.

The witness was thereupon sworn.

Signed : DACHSEL. Signed : STEIGER.

C. App. 62.

There appeared as witness Reservist Hund, who stated :
As to Person : My name is Artur Otto Hund ; I was

born on February 15th, 1889, at Dresden; Protestant; at the time Reservist in the 12th Company, Infantry Regiment No. 178.

As to Case: I saw how the twelve-year-old son of the Lawyer Adam shot at me and two comrades with a revolver. The two comrades were wounded.

Read over, approved, signed.

Signed: HUND.

Signed: RYSEL, Lieutenant and Officer of the Court.

Signed: SCHULTZ, Acting-Sergeant-Major and Clerk of the Military Court.

Present:

President of the Court, SCHWEINITZ.

Secretary, LIPS.

QUARTERS OF INFANTRY REGIMENT NO. 178,
March 3rd, 1915.

In the inquiry concerning the events in Dinant there appeared as witness Reservist Hund, who stated:

As to Person: My name is Artur Otto Hund; I was born on February 15th, 1889, at Dresden; Protestant; at the time Reservist in the 12th Company, Infantry Regiment No. 178; coachman by calling.

As to Case: I was sent with two comrades into the house to see if it was vacant, so that it could be turned into a hospital. We were shot at in the garden behind. When we went in the direction of the shots we found under a bush a twelve-year-old boy with a revolver in his hand. One of my comrades was fatally wounded by the shots, the other slightly. The lad was shot on the spot by one of the comrades who had also come up. We knew by photographs in the house that he was the son of the occupier of the house.

Read over, approved, signed.

Signed: HUND.

The witness was thereupon sworn.

Signed: SCHWEINITZ.

Signed: LIPS.

C. App. 63.

There appeared Private Trenkler, 12th Company, Infantry Regiment No. 178, who stated:

As to Person: My name is Max Julius Trenkler; I was born on December 31st, 1891, at Markersdorf; Protestant;

at the time on the active list, 12th Company, Infantry Regiment No. 178.

As to Case : I have seen civilians firing with (small) shot, and, in a like manner, children have fired on our soldiers in the rear of the convent.

Signed : MAX TRENKLER.

Signed : RYSEL, Lieutenant and Officer of the Court.

Signed : SCHULTZ, Acting-Sergeant-Major and Clerk of the Court.

Present :

President of the Court, SCHWEINITZ.

Secretary, LIPS.

QUARTERS OF INFANTRY REGIMENT NO. 178,
March 3rd, 1915.

In the inquiry concerning the events in Dinant there appeared Private Max Julius Trenkler as witness, who, after the reading over of the preceding statement, declared : Details as to myself are correctly given ; I am an excavation worker.

As to Case : On the afternoon of August 23rd, 1914, we lay in reserve on the northern slope of the Leffe valley opposite the convent in the wood. There we saw how a boy on the opposite slope behind the convent fired at us from a fir copse, and with small shot too. The shot fell in our vicinity. We called to comrades who were on the road to go and search for the lad behind the convent. They then brought him along. I do not know what they did with him.

Read over, approved, signed.

Signed : TRENKLER.

The witness was thereupon sworn.

Signed : SCHWEINITZ.

Signed : LIPS.

C. App. 64.

REPORT on the encounter of the Machine-Gun Company with Francs-Tireurs at Leffe-Dinant on August 23rd, 1914.

Machine-Gun Company, Infantry Regiment No. 102.

The Machine-Gun Company of Infantry Regiment No. 102 had started off from Houx in the rear of the regiment towards the evening of August 23rd, 1914, and had

marched along the Meuse to Leffe. When the company had entered Leffe about midnight, and the last of their vehicles were passing a bridge, two white figures were all at once seen under it. The men of the company bringing up the rear noticed these people; two shots followed close upon one another, and immediately after two figures enveloped in white clothes were seen to jump into the Meuse. The marksmen of the Machine-Gun Company fired at the two persons, who, shortly after, were washed up dead to the bank. A closer examination showed that they were two men wearing female dress, who had wrapped themselves up in white cloths. Under the bridge stood two chairs, and from here the column in marching by had been fired on. It was supposed that the two francs-tireurs wanted to blow up the bridge, and, surprised by our people, flew to arms; as their retreat was cut off, they wanted to make their way through the water.

Shortly after, Infantry Regiment No. 177, which was marching behind us, was fired at from the factory which stands close to the bridge. As was ascertained, a passage led from the bridge into the factory, which was, at any rate, made use of by other francs-tireurs in order to withdraw in safety into the factory, from the windows of which they then opened a brisk fire.

Signed: NOACK, Lieutenant and Company Leader.

C. App. 65.

Present :

1st Lieutenant WINKLER, as Officer of the Court.

Non-commissioned Officer SCHWERTNER, as Clerk of the Military Court.

Near ST. MARIE, *March 7th*, 1915.

In the matter for inquiry concerning the firing on a Machine-Gun Company by francs-tireurs at Leffe-Dinant there appeared as witnesses Privates Büchner and Ulbricht of the Machine-Gun Company, Infantry Regiment No. 102, who, after the importance of the oath had been pointed out to them, were examined individually as follows :

1. Private Büchner.

As to Person : My name is Heinrich Max Emil Büchner, 22 years old; private in the Machine-Gun Company, Infantry Regiment No. 102.

As to Case: On August 23rd, 1914, the Machine-Gun Company, Infantry Regiment No. 102, marched from Houx along the Meuse by Lefte to the military bridge at Dinant. The company arrived in Lefte towards midnight of the 23rd and 24th August 1914. On the left of the line of march was a large factory. From this a brook or canal led into the Meuse. Our route passed over this brook or canal by a bridge. I marched with Ulbricht behind a provision waggon which brought up the rear. When the centre of the company was on the bridge, two shots came from the direction of the bridge towards us. I at once ran with Ulbricht to the bank of the Meuse to see if anybody there had fired. The two shots appeared to have been alarm shots, for immediately after several rifle-shots were fired from the factory. While we were running to the bank of the Meuse, two white figures came out from under the bridge in order to swim to the other bank of the Meuse. I immediately shot with Ulbricht at the two white figures. We reached one whilst still close to the bank, whilst the other was already in the middle of the Meuse. Both figures were hit, for the one who was already in the middle of the river suddenly drifted with the stream, while the other was floated up to our bank. Together with Ulbricht, I let myself down the steep bank with the aid of comrades who had come up, by means of a bearing-girth. We drew the white body from the water, threw back the white cloth, and saw by the face that it was a man. This man was wearing women's green stockings and a pair of black low shoes such as women wear. He had received a shot in the back of the head and was dead. We then went under the bridge; not far from the water stood two chairs. From the bridge, the canal went through a tunnel towards the factory. In this tunnel-canal, which was about 50 metres long, there was very little water; one could easily go upright in it. With Ulbricht, I had penetrated about two to three metres into the tunnel, but as our company was marching on and were being called by our comrades, we turned back. Behind us came men of the Machine-Gun Company, Infantry Regiment No. 177; they went into the factory in order to search it whilst I and Ulbricht went to our company. The firing only came from the factory when the two white figures had discharged the two shots, the firing, which lasted about five minutes, evidently came from the windows of the factory and originated from several persons. During this time our company halted, then it moved nearer to the

military bridge. As the firing from the factory opened again shortly after, the Machine-Gun Company, Infantry Regiment No. 177, replied with the machine-guns. We now saw the flashes of the francs-tireurs' fire at the windows of the factory. The firing from the factory only ceased when the place had been set on fire.

Read over, approved, signed.

Signed : BÜCHNER.

2. Private Ulbricht.

As to Person : My name is Friedrich Richard Ulbricht, 22 years old ; Protestant ; private in the Machine-Gun Company, Infantry Regiment No. 102.

As to Case : The statements of Private Büchner, which were read over to me, I fully endorse.

I have nothing further to add.

Read over, approved, signed.

Signed : ULBRICHT.

The witnesses were thereupon sworn.

Signed : WINKLER, 1st Lieutenant and Officer of the Court.

Signed : SCHWERTNER, Non - commissioned Officer and Clerk of the Court.

C. App. 66.

Present :

Lieutenant of Reserve GLASER, as Officer of the Court.

Acting-Sergeant-Major of Reserve Referendar RICHTER, as Clerk of the Court.

SINZBARACKEN, *February 25th, 1915.*

Rifleman Kähler, 1st Company, Rifle (Fusilier) Regiment No. 108, after the importance of the oath had been pointed out to him, stated :

As to Person : My name is Emil Robert Kähler, 22 years old ; Protestant ; electrician at Kiel, on active service since October 14th, 1913, in the Rifle (Fusilier) Regiment No. 108.

As to Case : On August 23rd, 1914, I saw in a street at Dinant a civilian, about twenty-seven years old, who wore a band on the left arm with the Geneva badge, and who fired a revolver from a house door at a Pioneer, but without hitting

him. I thereupon shot the civilian. The Pioneer took the revolver away from him.

Kähler took the oath as a witness.

Signed : KÄHLER.

Signed : GLASER, Officer of the Court.

Signed : RICHTER, as Clerk of the Court.

C. App. 67.

Present :

Lieutenant of Reserve and Battalion Adjutant
DACHSEL, as Officer of the Court.

Non-commissioned Officer of Reserve STEIGER, as
Clerk of the Court.

LA VILLE-AUX-BOIS LES PONTARVET,
February 2nd, 1915.

There appeared by order as witness, Assistant-Surgeon Dr.med. Köckeritz, who, after the importance of the oath had been pointed out to him and he had been warned to speak the truth, made the following statement :

As to Person : My name is Albin Werner Köckeritz. I am Assistant-Surgeon of Reserve, Dr.med. ; 28 years old ; Protestant.

As to Case : During the night-fighting of August 21st to 22nd, I was in Dinant. I did not see any cruelties committed by our troops against the inhabitants, who fired with shot-guns and buck-shot from their windows. In the further fighting round Dinant also, at the close of which we moved into Dinant, I saw no misuse whatever of the civilian population.

That the bodies of inhabitants, who had been shot for taking part in fighting, were mutilated, is untrue. I saw, however, in a side-valley a German cavalryman, who had apparently been shot down, lying charred upon a grating and fastened with wire. This was in the vicinity of the Field Dressing Station put up by the 22nd and 3rd Battalion, Rifle (Fusilier) Regiment No. 108 and the 1st Field Artillery Regiment No. 12 and stationed west of Dinant.

The firing, which came from the hospital denoted by a Red Cross flag, lighted up for a long way the opposite bank of the Meuse.

Read over, approved, signed.

Signed : Dr. KÖCKERITZ.

The witness was thereupon sworn.

Signed : DACHSEL. Signed : STEIGER.

C. App. 68.

(Guards) Grenadier Regiment No. 100, Officer of Court III.

Present :

Lieutenant of Reserve BANDEL, as Officer of the Court.

Acting-Sergeant-Major RANKE, as Clerk of the Military Court.

GUIGNICOURT, *January 9th, 1915.*

By order there appeared as witness :

Non-commissioned Officer Martin, 10th Company (Guards) Grenadier Regiment No. 100, who, after having been warned to speak the truth, made the following statement :

As to Person : My name is Otto Kurt Martin, 22 years old ; Protestant.

As to Case : Concerning the article " The incredible atrocities of the German soldiers," Martin made the following statement :

Inhabitants of the town of Dinant were only shot after it had been conclusively established that they had treacherously fired at us from the houses. Moreover, there was firing from houses which displayed the Red Cross. I did not see any mutilated inhabitants. I likewise do not know of any cruelties or crimes by our troops. I did not see that our troops were treated by a Belgian doctor. On the contrary, I noticed that wounded inhabitants were treated by German doctors and bandaged by our military non-commissioned officers. I know nothing of the remainder of the incidents mentioned in the article. I have nothing further to add.

Read over, approved, signed.

Signed : KURT MARTIN.

The witness was thereupon sworn.

Signed : BANDEL, Lieutenant and Officer of the Court.

Signed : RANKE, Acting-Sergeant-Major and Clerk of the Military Court.

C. App. 69.

REPORT to (Guards) Grenadier Regiment No. 100.

In the fight at Dinant, heavy rifle fire was directed upon our troops from several houses on the west bank of the Meuse, especially from a large red Infirmary. These houses were

all distinguished as hospitals by the hanging out of flags with the Red Cross, and were, in consequence, at first spared by our troops. Later, however, after the occupation of these houses by hostile, armed inhabitants had been definitely ascertained, and it was recognised that the Red Cross only served as a blind, the houses were brought under fire and destroyed. Witnesses to this are all the officers of the 1st Battalion (Guards) Grenadier Regiment No. 100.

Signed: ZEIDLER, Captain and Battalion
Leader, (Guards) Grenadier Regiment
No. 100.

C. App. 70.

Present :

Military Magistrate, NAUMANN.

Secretary of the Military Court, SCHWARZBACH.

LA MALMAISON, *December 10th, 1914.*

In the inquiry concerning the violations of International Law committed against German troops, there appeared as witness Non-commissioned Officer Esche, 10th Company, Grenadier Regiment No. 100, who, after the importance of the oath had been pointed out to him, made the following statement :

My name is Bruno Arno Esche, 24 years old; Protestant; factory worker.

On Sunday, August 23rd, 1914, in the afternoon, I saw plainly with field glasses from the right bank of the Meuse that the windows of a large red house on the left bank of the Meuse were blocked up with boards, mattresses or coverlets. Loopholes were cut out in the house at the height of a man. The house was flying the Red Cross flag.

Read over, approved, signed.

Signed: BRUNO ARNO ESCHÉ.

The witness was thereupon sworn.

Signed: NAUMANN. Signed: SCHWARZBACH.

C. App. 71.

ST. ERME, *December 17th, 1914.*

Staff-Surgeon Dr. Lange, after the importance of the oath had been pointed out to him, made, as witness, the following deposition :

As to Person : My name is Richard Gotthold Lange, 33 years old ; Protestant ; Staff-Surgeon and Battalion Surgeon of the 3rd Battalion Infantry Regiment No. 178.

As to Case : Directly after the entry of the battalion into Leffe it was surprised by shots which not only came from the two ranges of hills but also from the houses and cellars. The houses from which the shots came were thereupon searched for sharpshooters and the guilty civilians found there were shot. The houses from which there was no firing were searched in the same way, and their occupants were guarded in the street. It was reported to me that a sergeant-major of the 9th Company of my regiment had been severely wounded, whereupon I rode through the streets and was continuously fired at from the houses, especially from the cellars. I found two German wounded inside the houses, further, one dead in a cellar and another dead on a ground floor. As the number of the wounded accumulated, I saw myself obliged to arrange as a dressing-station the villa of Councillor Adam, where I was busy up till 11 o'clock at night. The number of the wounded German soldiers, on the handing over of the hospital to the 2nd Medical Company, amounted to about eighty men.

Read over, approved, signed.

Signed : DR. LANGE.

The witness was thereupon sworn.

Signed : STARKE, Officer of the Court.

C. App. 72.

Present :

Military Magistrate, NAUMANN.

Secretary of Military Court, SCHWARZBACH.

LA MALMAISON, *December 8th, 1914.*

In the inquiry concerning the violations of International Law committed against German troops, there appeared as witness Medical Non-commissioned Officer Ostmann of the 5th Company, Grenadier Regiment No. 101, who, after the importance of the oath had been pointed out to him, made the following statement :

As to Person : My name is Otto Eduard Ostmann, 26 years old ; Protestant ; shop assistant by trade.

As to Case : On the evening of August 23rd, 1914, when it was getting dark, my company entered Les Rivages. It halted in the street at the beginning of the place. As

there was no medical non-commissioned officer farther on, I went as far as the crossing-place over the Meuse and stood close by in the middle of the street. There was no one in the street in my immediate neighbourhood.

While I was facing the houses where some civilians were standing, a shot fell from a house to the right of me ; I immediately felt a stinging pain under my right eye and felt blood running down my cheek.

My Battalion-Surgeon, Dr. Haupt, after examining the wound, said that a small shot had grazed me. The shot could only have been meant for me, since I was the only person standing in an open space of 2 metres in circumference.

I had duly put on the Geneva Cross band, which was visible.

Read over, approved, signed.

Signed : OTTO EDUARD OSTMANN.

The witness was thereupon sworn.

Signed : NAUMANN. Signed : SCHWARZBACH.

C. App. 73.

Present :

Military Magistrate, NAUMANN.

Secretary of the Military Court, SCHWARZBACH.

LA MALMAISON, *December 5th, 1914.*

In the inquiry concerning the violations of International Law committed against German troops, there appeared as witness Transport Soldier of Reserve Müller, 2nd Field Pioneer Company, Pioneer Battalion No. 12, who, after the importance of the oath had been pointed out to him, made the following statement :

My name is Emil Erwin Müller, 26 years old ; Protestant ; fruit grower.

On the afternoon of August 25th, 1914, in company with Non-commissioned Officer Fehrmann, I saw a number of bodies of civilians and that of a woman lying in front of a house in a cross-street in Dinant. We entered the house. In the room on the right there lay an officer—a lieutenant of Infantry Regiment No. 182—a sofa-cushion under his head ; his head and a part of his chest were covered with a white cloth. All three civilians wore the uniform of Infantry Regiment No. 182. In the adjoining room there lay stretched out dead a non-commissioned officer and five privates of the same regiment.

I lifted up the cloth covering the lieutenant and saw that he had received a shot in the head. I did not see any further injuries to the officer.

One of the privates who lay beside the lieutenant had his trousers unbuttoned in front so that one could see his body. This soldier had a shot in the lower part of the body. Extending from the larynx to at least 10 cm. to the left was a cut which was bloody and the edges were probably 1 cm. apart. The blood had flowed down towards the side. I am convinced that it could only have been a wound from a cut.

In the other room the trousers of one of the soldiers were unbuttoned so that one could see the body. This man had a cut or stab wound in the lower body about 3 cm. wide. The clothing of the remaining soldiers showed no disarrangement, they all bore shot-wounds.

The scene conveyed the impression that the officer, the non-commissioned officer and the men had been attacked in their sleep by the inhabitants in that quarter. I infer this from the fact that the officer had a sofa-cushion and the others either a cloth or a knapsack under their heads. The rifles stood in a corner.

In the house with Fehrmann and myself was also Pioneer of Reserve Kretzschmann.

Read over, approved, signed.

Signed : EMIL ERWIN MÜLLER.

The witness was thereupon sworn.

Signed : NAUMANN. Signed : SCHWARZBACH.

C. App. 74.

By order of the Rifle (Fusilier) Regiment "Prinz Georg" No. 108 there appeared Staff-Surgeon of Reserve Dr. Holey, who, having been warned to speak the whole truth, made the following statement :

As to Person : My name is Franz Alfred Holey. I was born on September 21st, 1878; Protestant; practising physician in civil life, during the war, Staff-surgeon and battalion-surgeon with the 3rd Battalion, Rifle (Fusilier) Regiment No. 108.

As to Case : On August 23rd, as we were proceeding to Dinant, my attention was drawn by Major von der Pforte, a short distance from Dinant, to the body of a German soldier, who had been fastened with wire by the hands and feet to pegs which had been driven into the ground. The

body was almost completely carbonised, and to all appearances some highly inflammable liquid had been poured over it. According to the state of the existing lines of demarcation, the man must have been burnt alive. By the remains of the uniform, particularly the buttons, he was plainly to be recognised as a German soldier.

Read over, approved, signed.

Signed : Dr. HOLEY, Staff-Surgeon of Reserve.

The witness was thereupon sworn.

Further remark : The body lay in the neighbourhood of an estate near the marble quarries.

Signed : LOSSOW, Lieutenant and Officer of the Court.

Signed : SCHUBERT, Acting-Sergeant-Major and Clerk of the Military Court.

C. App. 75.

Present :

Lieutenant of Reserve DACHSEL, as Officer of the Court.

Non-commissioned Officer of Reserve STEIGER, as Clerk of the Court.

LA VILLE-AUX-BOIS, NEAR PONTARVET,
March 6th, 1915.

By request of the Imperial German Court of Justice of the General Government in Belgium there appeared by order as witness Corporal of Reserve Wahl, who, after the importance of the oath had been pointed out to him, and he had been warned to speak the whole truth, made the following statement :

As to Person : My name is Hermann Kurt Wahl, 22 years old ; Protestant ; Corporal of Reserve, 5th Company, Rifle (Fusilier) Regiment No. 108 ; shop assistant at Deuben, near Dresden.

As to Case : On the march to Dinant on August 23rd, I saw lying in a ditch by the road to the east of the Sorinnes-Dinant road a dead Jäger. His hands and feet were bound together with wire. The body was otherwise completely charred. I was only able to recognise that he was a Jäger by the articles of equipment lying near.

Read over, approved, signed.

Signed : HERMANN KURT WAHL.

The witness was thereupon sworn.

Signed : DACHSEL. Signed : STEIGER.

C. App. 76.

Present :

Lieutenant of Reserve DACHSEL, as Officer of the Court.

Non-commissioned Officer of Reserve STEIGER, as Clerk of the Court.

LA VILLE-AUX-BOIS, *March 7th*, 1914.

By order there appeared as witness Rifleman Willkommen, who, after the importance of the oath had been pointed out to him, and he had been warned to speak the truth, made the following statement :

As to Person : My name is Paul Robert Willkommen, rifleman, 7th Company, Rifle (Fusilier) Regiment No. 108; 22 years old; Protestant.

As to Case : On the afternoon of August 23rd, I found a completely charred body quite close to an estate near Dinant, where we had set up a dressing-station. On closer inspection it proved to be a Saxon Jäger whose hands and feet had been tied up. He lay in the ditch close to the road. We covered him with straw. That he was a Saxon Jäger I recognised with certainty from his buttons and other articles of equipment.

On this day, before we marched through Dinant and crossed the Meuse, my company made a halt at an estate near Dinant. The inhabitants of the estate—several men, women, and children—fetched us water. I and several of my comrades gave in return some cigars to the men and sweetstuff to the children.

Read over, approved, signed.

Signed : PAUL ROBERT WILLKOMMEN.

The witness was thereupon sworn.

Signed : DACHSEL. Signed : STEIGER.

C. App. 77.

Present :

Lieutenant of Reserve DACHSEL, as Officer of the Court.

Non-commissioned Officer of Reserve STEIGER, as Clerk of the Court.

LA VILLE-AUX-BOIS, *March 7th*, 1915.

There appeared by order as witness Corporal Oehmigen, who, after the importance of the oath had been pointed

out to him, and he had been warned to speak the truth, made the following statement :

As to Person : My name is Otto Albert Oehmigen ; corporal, 6th Company, Rifle (Fusilier) Regiment No. 108 ; 23 years old ; Protestant.

As to Case : Before we marched through Dinant on August 23rd I saw in a cabbage field near Dinant the body of a Saxon Jäger with a charred face lying on his back. He lay in the middle of the field, not by the road. I did not notice whether his feet and arms were tied.

Read over, approved, signed.

Signed : OTTO ALBERT OEHMIGEN.

The witness was thereupon sworn.

Signed : DACHSEL. Signed : STEIGER.

C. App. 78.

PROUVAIS, *February 24th, 1915.*

By order of Field Artillery Regiment No. 12 there appeared as witness this day Captain von Lippe of the Light Munitions Columns, 2nd Division, 1st Field Artillery Regiment No. 12, in order to be examined on oath regarding the occurrences in Dinant. Captain von Lippe stated :

As to Person : My name is Fritz von Lippe. I am 40 years old ; Protestant ; estate-tenant by calling, attached to the Light Munitions Column of the 2nd Division, Field Artillery Regiment No. 12.

As to Case : On August 23rd, 1914, behind the firing position of the 2nd Division, 1st Field Artillery Regiment No. 12, I saw the bodies of a rifleman and a Jäger. One had his eyes gouged out, and the other lay half burnt under a heap of straw with hands and feet tied together.

Captain von Lippe testified his statements on oath, after the importance of the oath had been pointed out to him.

Read over, approved, signed.

Signed : FRITZ VON LIPPE.

Signed : HAASE, 1st Lieutenant and Officer of the Court.

C. App. 79.

ST. ERME, *December 17th, 1914.*

Acting-Sergeant-Major Göpfert, after the importance of the oath had been pointed out to him, made the following statement :

As to Person : My name is Oswald Emil Göpfert. I am 27 years old ; Protestant ; battalion drummer, 3rd Battalion, Infantry Regiment No. 178.

As to Case : When my battalion was entering Leffe, numerous shots came from almost all the houses. We supposed at first that the shots came from soldiers ; however, it could only have been civilians, since no soldiers were found in the houses. I saw with my own eyes that a civilian fired at and wounded Captain Franz. Only the men who were implicated in the firing from the houses were shot, while the old men, women, and children were taken to the convent. I was myself present when an old man, who had been fetched out of a house, was separated from the guilty civilians and taken to the convent.

Read over, approved, signed.

Signed : GÖPFERT.

The witness was thereupon sworn.

Signed : STARKE, Officer of the Court.

C. App. 80.

GUIGNICOURT, *January 8th, 1915.*

Deposition.

There appeared, as witness, Lieutenant of Reserve Löser of the 5th Company, (Guards) Grenadier Regiment No. 100, who, having been warned to speak the truth, made the following statement :

My name is Walter Löser. I am 28 years old ; Protestant ; Forest-referendary on the State Forest Preserves, Elster II. at Adorf in Saxony.

As to Case : On entering Dinant the 5th Company, (Guards) Grenadier Regiment No. 100, was ordered to fire only at civilians who were themselves shooting at our troops. The order was everywhere complied with. No atrocities were committed by our troops. I even know of

cases where our troops treated with the greatest consideration the innocent inhabitants of Dinant, who evidently were suffering under the critical condition of the time. I remember to have seen how the men of our regiment carried infirm old people and children through the rows of burning houses with the intention of rescuing them.

Read over, approved, signed.

Signed : LÖSER, Lieutenant of the Reserve.

The witness was thereupon sworn.

Signed : VON LOEBEN, Lieutenant and
Officer of the Court.

Signed : BAIER, Non-commissioned Officer and
Clerk of the Military Court.

C. App. 81.

Present :

Lieutenant of Reserve KLEBERGER, as Officer of the
Court.

Sergeant RICHTER, as Military Clerk of the Court.

ORAINVILLE, *March 17th, 1915.*

Summoned as witness there appeared Non-commissioned Officer of Reserve Teubner, who, after the importance of the oath had been pointed out to him, made the following statement :

As to Person : My name is Georg Teubner. I am 26 years old ; Catholic ; by trade a locksmith at Schirgiswalde, now non-commissioned officer of Reserve, Machine-Gun Company, Infantry Regiment No. 103.

As to Case : In the night, after we had crossed the Meuse, two platoons of the Machine-Gun Company lay by the railway ; an infantry guard lay opposite. In the house where the guard lay were already some civilians. In the early morning a Belgian woman came to us and gave us to understand by motions of the hands—we could not understand French—that somewhere a house was on fire, and that we were to help. We saw that something must be particularly amiss there, and some of the men followed the woman with tools (hatchets, etc.). I was not able to go at once myself. When, later, I was on my way to the burning house I met the men with the rescued civilians who had stayed in the cellars and had been buried by the débris. They were men, women, and children—

among them a priest. The people were taken to the guard, and there examined; later they were again released.

In the last house of a village behind Dinant we found a large quantity of ammunition (shot and spear-like missiles), which were evidently placed there for use. In the gable-roof were openings similar to loopholes.

On the march farther I saw a civilian who had been shot lying by the corner of a house; he had a gun still in his hand—it was a double-barrelled sporting-gun.

Read over, approved.

The witness was thereupon sworn.

Signed: KLEBERGER, Lieutenant of Reserve
and Officer of the Court.

Signed: Sergeant RICHTER, as Clerk of the
Military Court.

C. App. 82.

Present:

Lieutenant of Reserve KLEBERGER, as Officer of
the Court.

Sergeant RICHTER, as Clerk of the Court.

ORAINVILLE, *March 17th*, 1915.

Summoned as witness there appeared Corporal Richter, who, after the importance of the oath had been pointed out to him, made the following statement:

As to Person: My name is Max Gustav Richter. I am 23 years old; Protestant; by trade a chairmaker at Bärenstein, now corporal, 6th Company, Infantry Regiment No. 103.

As to Case: The 6th Company, Infantry Regiment No. 103, after the fighting at Dinant, was detained to guard the bridge. Lieutenant Lemke was Local Commandant of the district allotted to us. We lay there four to five days. During these days Lieutenant Lemke had those civilians who were innocent taken to a house and looked after. The people received bread, meat, potatoes, and milk.

Read over, approved.

The witness was thereupon sworn.

Signed: KLEBERGER, Lieutenant of Reserve
and Officer of the Court.

Signed: Sergeant RICHTER, as Clerk of the
Military Court.

C. App. 83.

Present :

Lieutenant of Reserve KLEBERGER, as Officer of the Court.

Sergeant RICHTER, as Clerk of the Military Court.

ORAINVILLE, *March 17th, 1915.*

Summoned as witness there appeared Lieutenant Lemke, who, after the importance of the oath had been pointed out to him, made the following statement :

As to Person : My name is Martin Lemke, 27 years old ; Protestant ; merchant at Zürich, now Lieutenant of Reserve, 6th Company, Infantry Regiment No. 103.

As to Case : One night between the 23rd and the 26th August 1914, a large column of 3700 captured Belgian soldiers came through Dinant. I had been left behind with a platoon of the 6th Company, Infantry Regiment No. 103, as bridge-guard, and was, during the days named, Local Commandant of Dinant-Bouvignes. This long column of prisoners I lodged in double columns of route on the railway track in the neighbourhood of the station at Dinant. At intervals 100 paces I had lighted large wood-fires. Towards 3 o'clock a heavy fusillade broke out. Two Belgians jumped down from the railway embankment into the road and were shot by my sentries. A wounded Belgian was at once taken to the "Red Cross" near by, where a small-shot wound in the posterior was able to be ascertained with certainty. The firing with small shot came down from the wooded height on this side of the railway track amongst the resting column, and the result was, that a panic broke out among the prisoners, of which the two Belgians were the victims. The Belgian officers present, as well as the Mayor of Bouvignes, to whom I explained the affair, expressed their indignation about the francs-tireurs.

The inhabitants were well treated by the soldiers under my command. On August 24th a number of women, children, and men were fetched out of the cellar of a burning house on the road to Bouvignes by our soldiers at the risk of their lives. During those days I provided with victuals a total of over fifty inhabitants, mostly women, also children and various men belonging on the average to the better classes. Among them were also patients from the wrecked hospitals. An old lady who could not walk was carried by our soldiers to the "Red Cross." We provided the

people with woollen coverings for the night, and gave up some mattresses from our district, which had been quite forsaken. For the invalids and a little child we provided milk. For the "Red Cross" in Bouvignes, where some twenty wounded French soldiers were lying, among them one Major and one 1st Lieutenant, we also provided victuals, especially flour for baking bread. The people could not adequately express their gratitude. The Lord of the Manor at Bouvignes, the Mayor of Bouvignes, a Mons. van Willmart of the same place, have taken a note of my home address in order, after the war, to inquire after my welfare. The people had all acquired a high opinion of Germany. Mons. van Willmart even wants to visit me after the war. A health-resort patient at Dinant, a legal official from Brussels, who was staying there with his two sisters, has written a card to my mother to testify his gratitude.

Read over, approved.

The witness was thereupon sworn.

Signed : KLEBERGER, Lieutenant of Reserve
and Officer of the Court.

Signed : Sergeant RICHTER, as Clerk of the
Military Court.

C. App. 84.

Present :

Lieutenant of Reserve KLEBERGER, as Officer of
the Court.

Sergeant RICHTER, as Clerk of the Military Court.

ORAINVILLE, *March 17th*, 1915.

Summoned as witness there appeared Captain Schröder, who, after the importance of the oath had been pointed out to him, made the following statement :

As to Person : My name is Severin Schröder. I am 34 years old ; Protestant ; Captain and Company Chief, 6th Company, Infantry Regiment No. 103.

As to Case : My company was bridge-guard on the left Meuse bank from the 23rd to the 24th August. In some houses were from 150 to 200 civilian prisoners, among them also many women and some children. I had the provisions brought together from the partially destroyed houses in order to provide for my company. On the petition of some women for victuals I gave them bread, rice, and sausage, and some for the remainder of the civilians.

I had explained to the inhabitants that nothing would happen to them as long as they remained in the houses under the protection of the company. A number were let go at their request, as they did not appear to be under suspicion. Men who seemed open to suspicion were detained; some women remained voluntarily. When I was relieved, Lieutenant Lemke, who remained behind with his platoon, took over the prisoners.

Read over, approved.

The witness was thereupon sworn.

Signed: KLEBERGER, Lieutenant of Reserve and Officer of the Court.

Signed: Sergeant RICHTER, as Clerk of the Military Court.

C. App. 85.

Present :

Lieutenant of Reserve KLEBERGER, as Officer of the Court ;

Sergeant RICHTER, as Clerk of the Military Court.

ORAINVILLE, *March 17th*, 1915.

Summoned as witness there appeared Captain von Lüder, who, after the importance of the oath had been pointed out to him, made the following statement :

As to Person : My name is Georg von Lüder. I am 41 years old; Protestant; Captain and Battalion Commander, 2nd Battalion, Infantry Regiment No. 103.

As to Case : On August 23rd, 1914, as Company Chief, I led the Machine-Gun Company. This was transported late in the evening on pontoons across the Meuse. The company remained until midday of August 24th, on the other bank of the Meuse, to await the arrival of the vehicles which were to reach the left bank of the Meuse by the bridge erected by the Pioneers. When the vehicles arrived in the afternoon of August 24th the company marched off.

During the time the company remained on the left bank of the Meuse, inhabitants who had been arrested by the soldiers were continually being brought to a house which was situated next to the halting-place of the company. I saw the bringing of these inhabitants to the house, and can confirm that they were decently treated in every respect by the soldiers escorting them.

In the forenoon of August 24th my Regimental Commander, Major Hoch, came to the company and spoke to

the inhabitants interned in the house. At their request he let many of them go free.

My impression was that the arrested inhabitants were very kindly treated. They were allotted a room for the night, and on the morning of August 24th were well and plentifully provided for.

Read over, approved.

The witness was thereupon sworn.

Signed: KLEBERGER, Lieutenant of Reserve
and Officer of the Court.

Signed: Sergeant RICHTER, as Clerk of the
Military Court.

C. App. 86.

Present :

Lieutenant OESER, as Officer of the Court.

Acting-Sergeant-Major LIPPMANN, as Clerk of the
Military Court.

PROUVAIS, *March 26th*, 1915.

There appeared for examination Lieutenant and Regimental Adjutant Florey, who, after the importance of the oath had been pointed out to him, made the following statement :

As to Person: My name is Georg Friedrich Florey; 22½ years old; Protestant; Lieutenant and Regimental Adjutant, Grenadier Regiment No. 101.

As to Case: With Lieutenant von Zenker of the 1st Company, I bandaged a man (inhabitant) in Les Rivages who had a gaping wound in the head. Later on I gave the men of my platoon the order to carry a woman of about eighty years from an already burning house and bring her into safety. My Grenadiers at once complied with this order and handed over this old lady for further care to other inhabitants. In Neffe I endeavoured to fetch a doctor for the wounded inhabitants.

At that time I was platoon leader in the 4th Company.

Read over, approved, signed.

Signed: FLOREY, Lieutenant and Regimental
Adjutant.

The witness was thereupon sworn.

Signed: OESER, Lieutenant and Officer of the
Court.

Signed: LIPPMANN, Acting-Sergeant-Major and
Clerk of the Military Court.

C. App. 87.

THE TRENCHES, *January 12th, 1915.*

By Regimental Order, Chief Surgeon of the Reserve, Dr. Marx, Assistant Surgeon of the 2nd Battalion, 1st Grenadier Regiment (Guards) No. 100, appears, and, being warned to speak the whole truth, makes the following deposition :

As to Person: My name is Karl Theodor Hans Marx. I was born on April 3rd, 1878, in Döbeln (Saxony); Evangelical-Lutheran; Senior Surgeon of the Reserve, 1st (Guards) Grenadier Regiment No. 100.

As to Case: I also extended my medical activity during the whole of the day to the wounded inhabitants of Dinant. In one case I treated a young girl with a shot wound in the head, and allowed her a separate room in the house where I had set up my place for dressing-station, so that her parents could be with her. As towards the evening that part of the town in which my hospital lay came under heavy artillery fire, I had the girl carried to a safer part of the town. This was in the street where the town gaol of Dinant is situated. The wounded girl, in consequence of her severe injury, lay at the point of death. In a column of inhabitants which was being sent across the Meuse was a clergyman, whom I recognised as such by his clothes. I begged him to take charge of her, and was witness how he gave her absolution. I was present the whole day (August 23rd, 1914) in Dinant, and did not notice any excesses on the part of the German soldiers.

Read over, approved, signed.

Signed: Dr.med. HANS MARX.

The witness was then sworn.

Signed: v. HAUGK, Lieutenant and Officer of the Court.

Signed: HARTMANN, Non-commissioned Officer and Military Clerk of the Court.

APPENDIX D.—LOUVAIN

App. D.

War Office.

Military Inquiry Office regarding the Breaches of Rules and Usages of War.

THE UPRISING OF THE BELGIAN POPULACE IN LOUVAIN,
25TH TO THE 28TH AUGUST 1914.

Summary Report.

1. The uprising of the town of Louvain against the German troops of occupation and the judgment inflicted on this town have found a lasting echo in the whole world.

In the first place, because Louvain is a town famous on account of its time-honoured University, its rich architectural monuments and art treasures, the fate of which would interest wide circles; principally, however, because of the action of the opponents of the German people, especially of the Belgian Government, who have circulated and spread abroad in the world by means of the Press, by their foreign diplomatic representatives, and by agents sent everywhere, reports of the events of August 1914, which were designed to prejudice public opinion against the Germans.

The Commission appointed by the Belgian Government for inquiry into the violation of the code of International Law and of the laws and usages of war, has tried by every means to throw the blame for the disturbances in Louvain on the German troops. In several reports it has brought forward the accusation that the German troops, in violation of International Law and without any reason, have attacked and ill-treated the—so it is alleged—unsuspecting and peaceful inhabitants of Louvain, have wounded and killed

a great number, have plundered, desolated, and burned, and, in fact, completely destroyed the town.

These accusations are false ; moreover, it has been confirmed that the German troops have acted in a manner free from reproach and have committed no deeds in violation of International Law. On the contrary, heavy blame attaches to the civil population of Louvain and the neighbourhood for having, by reason of their disregard of the rules of international law, and through their thoughtless and criminal action, inflicted injury on the German Army, and also, as the result, on the town of Louvain.

2. According to inquiries which were instituted, the events in Louvain occurred as follows :

On August 19th, 1914, the first German troops marched into Louvain and occupied quarters in the town. Inter-course between the inhabitants and the troops, whose number and composition were continually changing, appeared at first to be exceptionally good. No single case of excess occurred. The German troops behaved themselves in exemplary fashion, which even the Belgians recognised ; further, the population of the town made such friendly advances that the German soldiers in Louvain felt so secure that many of them went about without arms (Apps. 2, 3, 7-9, 11, 18, 31, 36, 38, 40, 45, 48).

This peaceful picture suddenly changed on August 25th, 1914. On that day Belgian troops from Antwerp made a thrust in the direction of Louvain. The German troops in and about Louvain advanced to meet them ; further troops were sent from Liège *via* Louvain to the front. The fighting took place on the road to Malines, near Bucken and Herent, in the vicinity of Louvain. The fight ended in the heavy defeat of the Belgians, who were thrown back in the evening towards Antwerp.

The inhabitants of Louvain, who had remained in secret communication with Antwerp even after the occupation of their town, and who had information of the impending attack by their countrymen, had apparently not reckoned on this result of the fight. They held the erroneous opinion that the projected breaking through of the Belgian Army must, with the help of English troops, be successful, and saw in the advance initiated by the Belgian troops a promise of success and also an encouragement to themselves to take part in the fighting (Apps. 1, 3, 45, 48).

Already before the fight had been decided, a German company of the Landsturm, which had been stationed at

the north-western exit of Louvain, marched back towards 7 o'clock in the evening to a place situated at the east end of the town, near the station, in order to establish themselves there. During their march through the town everything was apparently still quiet. In the streets there were isolated ammunition and baggage columns, and several small detachments of German soldiers. There were no very large bodies of troops in Louvain at this time (Apps. 3, 7, 8, 38).

Among the inhabitants of the town who observed the march through of the Landsturm company were astonishingly large numbers of young men, apparently belonging to the wealthier classes, who stood about in the streets and retired slowly into the houses (Apps. 7, 10, 34, 46); women and children were not to be seen.

The return march through the town of the Landsturm company and other small bodies of troops most likely strengthened the inhabitants of Louvain in the belief that the Germans were beaten and retreating, and encouraged them to execute an apparently long-thought-out and prepared plan to annihilate the Germans during their retreat through the town. A little later, after the above company had arrived at the station square and settled themselves to rest, about 8 p.m. German time, rockets shot up in the town. Quite a number of soldiers saw first a green and then a red rocket appear against the dark evening sky (Apps. 7, 8, 12-17, 22, 38, 45, 46).

At the same time, in consequence of this signal, the inhabitants of Louvain began to open a furious fire from different parts of the town upon the German troops who were in the town-hall square, the station square, and the intermediate town quarters.

They shot with rifles, revolvers, and pistols out of cellars and out of the windows of the buildings, and especially out of windows in the roofs (Apps. 1-8, 7-13, 18-22, 24, 25, 29, 30, 32, 33, 36, 45-49); the firing sounded in several places as if machine-guns were in use (Apps. 2, 29, 38, 40, 42, 46, 49). The German soldiers were completely surprised at this attack. Many of them were wounded and some were killed before they could offer any resistance. Among the columns and the baggage sections, which had drawn up in the streets, confusion reigned, because the horses, who had shied from fright and were hit by the bullets and small-shot, broke loose and were galloping through the streets (Apps. 8, 18, 19, 37, 47).

An especially violent fire was poured upon the market-place and the first échelon of the General Command stationed there. Several officers and men were wounded or killed. The Staff of the General Command alone lost 5 officers, 2 officials, 23 men, and 95 horses (App. 1).

The fire was most violent in the Rue de la Gare and at the station. The Landsturm company, standing there between the baggage carts, was obliged to retire into the station in order to find better cover. A vigorous fire was also directed upon the troops drawn up at the Place du Peuple (Apps. 6, 20, 46).

The horror of this treacherous attack was increased by the darkness which had already fallen on the town, the street-lighting having been destroyed. The surprised troops tried to assemble, sought to defend themselves, and returned the fire. When this ceased for a moment they entered the houses out of which shots had been fired, by the order of their superior officers, and searched for the culprits. Several of these had been killed in the fight (Apps. 1, 3, 29, 37); others were found in possession of arms and were shot according to the usages of war, after having previously been found guilty of unjustifiable participation in the fight (Apps. 19, 20, 37, 38, 40, 41, 43, 44, 48). Many were able to escape through the back exits of the houses to participate once more in the continual recommencing street-fights.

While these fights were raging, the General in command of the XI. Reserve Army Corps, von Boehn, returned from the battlefield to the town.

This was about 11.30 p.m. On his way to the town hall he was several times shot at. So as to put an end to the street-fighting, he ordered a brigade of the Landwehr to enter the town, and had the Mayor and other distinguished citizens arrested as hostages. At his order they were led through the town and told to order the insurgents in a loud voice to cease their hostilities. Although accompanied by threats of severe punishment, these orders had no effect. The population continued to attack the troops. In their fury they even shot at the doctors, the hospital orderlies, and at the sick and wounded who were under the protection of the Red Cross (Apps. 9, 21, 25-28, 47). They paid so little attention to the Geneva Convention that they also fired out of houses from which flew the Red Cross flag (Apps. 29, 38); they even directed their fire against a military hospital (Apps. 25, 27, 28). On more than one occasion the use

of explosives and bombs is vouched for (Apps. 36, 37, 46); it is proved also that hot tar was poured upon the German troops (Apps. 25, 29).

In some cases the population was even carried away to commit barbarous atrocities on German soldiers who had become defenceless. Private Hoos found in the cellar of a house the corpse of a German soldier whose abdomen had been cut open with a sharp knife so that the intestines were protruding (App. 35); one of the German soldiers had a revolting mutilation inflicted upon him by one of the inhuman inhabitants, in consequence of which he died (App. 37).

In the face of these brutal attacks, the German soldiers had to protect themselves by energetic retaliatory measures. As had been threatened, the inhabitants who had participated in the attack were shot, and the houses out of which they fired were burned. It was impossible to prevent the fire from spreading to other houses, and thus some rows of them were destroyed. It was in this way also that the Cathedral caught fire (App. 4). A further spreading of the conflagration was prevented by our troops who, led by their officers, undertook the work of extinguishing the fire in a self-sacrificing manner (App. 46). Thanks to their efforts, only a comparatively small part of the town, *i.e.* the quarter between the station and the town hall, suffered. The magnificent town hall was saved through the efforts of our troops. The burning houses lit up the dark night and enabled our soldiers to meet the attack more effectively. Thus it diminished gradually; only here and there a few shots were fired during the night. The next morning, however, the attacks were renewed with great violence. The disturbances still continued on this and the following days, though the hostages were, on August the 26th and 27th, again led through the streets in order to exhort the inhabitants to keep the peace (Apps. I, 37, 38, 40, 44, 45, 47).

That the insurrection did not break out accidentally, but was prepared long beforehand, can be proved, apart from the above-mentioned rocket-signals which announced the beginning of the surprise attack, by the following facts:

i. The circumstance that arms had been found in large quantities, though these, according to the declaration of the Mayor, had been already handed over on August 19th (Apps. I, 20).

2. The observation that a great number of young men entered Louvain and dispersed in the town (App. 34). It was easy for them to take up quarters in the hotels and the lodging-houses left by the students.

3. Numerous stores of cartridges and explosives, which had been hidden there by the population, exploded in the burning houses (Apps. 1, 2, 6, 37).

In accordance with these facts, the attack evidently was carefully planned, and lasted for several days with the utmost stubbornness. The length of time during which the revolt against the German military force continued excludes any idea of spontaneous and excited actions on the part of isolated persons. The direction of the treacherous revolt must have been in the hands of highly placed persons. Everything points to the fact that the authorities had a hand in the organisation. The official headquarters of the Chief of the so-called *Garde Civique* were in Louvain; he was still in the town immediately before the rising, and the movement commenced there with the dispatch into Louvain of undisciplined young men not wearing any distinctive badge or uniform, who, together with soldiers transformed into civilians, concealed themselves in the houses in order, while invisible themselves, to fire at a suitable moment upon the apparently departing German troops.

The Belgian Government itself has never dared to speak about the regular troops having participated in these actions. We are here dealing with the perfidious deeds of *francs-tireurs* who were most readily received and offered hiding-places by the population of Louvain. The crimes of the *Garde Civique* will be unveiled to the whole civilised world in the classical case of Louvain (Apps. 1, 30, 45, 48).

Unfortunately a number of priests also allowed themselves to be carried away into misusing their influence upon the civilian population, and encouraging them to shelter the insurgents; it is certain that some of them even took direct part in the fighting (Apps. 1, 19, 34, 37, 38, 41, 42, 45, 48). Those who appreciate the authentic facts discovered by the German Government regarding the case of Louvain, facts which are not based upon hasty examinations of people labouring under strong excitement and possessing little education, by equally agitated examiners, but which are founded upon inquiries entered upon in a calm and quiet spirit, will be able to judge for themselves

what value can be attached to other similar accusations on the part of the Belgians against the German troops.

In the case of Louvain the Official Belgian Commission of Inquiry has tried to account for the doubtless very embarrassing fact, so difficult to be explained away, of the shots fired in the streets by maintaining that the German troops had fired on their own soldiers. But it conceals the point that the firing lasted several days and was renewed continuously. This simple fact does away with the threadbare attempt to explain the beginning of the street-fights.

While the Belgian Commission of Inquiry so lightly brushes aside the above-mentioned principal question of the violation of International Law, it seeks to calumniate the German Army by accusations in isolated cases. We have not been able to establish the truth of any of these cases; the impartial person must not overlook in this matter on what kind of evidence these cases are founded, nor how these accusations recede into the background, compared with the principal question of the origin of the street-fights. They are based on the depositions of the same persons who are responsible for the statement that Louvain was completely destroyed, and that of the whole town nothing but the town hall and the station remained intact, as is asserted in the third Report of the Commission and thus announced throughout the whole world.

The adjoining sketch shows how matters really stand with regard to the conflagration; in reality not one-sixth part of the town, but only the quarter in the proximity of the station, was destroyed by the fire (App. 50).

One of the few positive calumnies can be brought home, because it foolishly tries to cast a slur on the entire German Army Administration; according to the fifth Report of the Commission, a "large part of the booty (derived from the alleged looting) was forwarded in military waggons and later on sent to Germany."

This allegation is a pure invention, for what has to be forwarded in waggons and railway trucks is decided by the Army Administration, and the latter has never made any arrangements of the kind.

The slight importance the Commission even attaches to the tales dished up to them and unfortunately passed on without criticism is also shown in the fifth Report, which mentions the execution of Bishop Coenraets and Father Schmidt. The Commission even speaks about the "alleged" execution, and adds without further ado the fairy-tale

that the compulsory spectators of this pretended scene were forced to show their appreciation by clapping. It is impossible to admit more forcibly that the hurriedly collected material was brought out in order to create a sensation whereby truth and justice would have to suffer. One must know, moreover, that—as can hardly have been concealed from the Belgian Commission—Mons. Coenraets, who is safe and sound, is living to-day with Professor Toels in Jirlen, Holland.

BERLIN, *April 10th*, 1915.

Military Inquiry Office, regarding the Violations of the Rules and Usages of War.

Signed: BAUER, Major.

Signed: Dr. WAGNER, Councillor of the Supreme Court of Justice.

D. App. I.

Court of Justice of the Government-General of Brussels.

Present :

Dr. IVERS, Justice of Martial Law.

Secretary, REISENER.

NOYON, *September 27th*, 1914.

The General commanding IX. Reserve Army Corps, General of Infantry v. Boehn, declared :

As to Person : My name is Max von Boehn, aged 66 : Protestant.

It was made known to the witness that the Governor-General Field-Marshal General Baron von der Goltz had ordered an inquiry by the Court in order to establish whether a punishable offence in connection with the burning of Louvain could be charged to the account of German military persons, and, if so, to which persons ; he states as follows :

As to Case : When the first échelon of the General Command entered Louvain on August 25th, the orders received were first briefly talked over, and the report to the Army Headquarters, dealing with the time of arrival of the troops of the 9th Reserve Corps, was prepared. The de-training had not yet been terminated when the report was received from the 18th Reserve Division that the enemy was advancing to the attack against Bueken, along the road Malines-Louvain. I went immediately by motor to the battlefield with the Chief and a part of the Staff. Here

the action was principally sustained by the 18th Reserve Division. Our losses were only small. While the different portions of the 18th Reserve Division were advancing, the hussars and one part of the infantry were furiously fired upon by the inhabitants in Herent, as well as from the windows of the houses south of Bueken. They lost heavily. People caught firing were shot and their houses set on fire.

When I was on the point of returning to Louvain at midnight with the officers of my Staff, I was warned by the 17th Landwehr Brigade, which was resting to the north of the town, not to enter it, as infantry fire had been heard there. But, as it was necessary for the whole Staff to be in Louvain, I drove in my motor into the town, where we were very soon fired upon. I ordered the above-mentioned Landwehr Brigade to enter Louvain, and went with portions of it to the town hall, where the Mayor and other hostages were arrested. Under the protection of a detachment of infantry they were instructed to announce that if the firing out of houses continued, the hostages would be shot and the place set on fire by the artillery. It now also came to my knowledge that the first échelon of the Staff, after having entered the town, and being drawn up in the market-place, was suddenly assailed by a murderous fire from the surrounding houses.

The officers and men present, of course, returned the fire; nevertheless, apart from other officers, Captains of Cavalry v. Harnier and v. Esmarch, Captain v. Raven, 1st Lieutenant v. Oertzen, Lieutenant Risler, as well as several men, were wounded or killed. Nearly all the saddle-horses were killed or wounded, or had stampeded and could not be recaptured. The total loss of the Staff in dead, wounded, and missing amounts to 5 officers, 2 officials, 23 men, and 95 horses fully harnessed. Different houses in the proximity of the market-place had thereupon been set on fire. Shots had also been fired out of the hotel into which the hand-baggage of the Staff had already been taken. I therefore decided to move with the General Command to the station, and to remain there. The station had to be held, as transport trains were arriving at intervals of an hour. First of all, fresh horses were put into the waggons, and the Staff was rearranged. Owing to the foresight of the Commander of the Ammunition Column, Colonel Stubenrauch, assisted by the 1st Adjutant, Captain v. Kretschmann, the Staff was successfully reformed during

the night in spite of the greatest difficulties, and held in readiness at the station. A portion of the Landwehr Brigade also remained here and one company of Infantry Regiment No. 163, in order to guard the further unloading of trains during the night. The heavy baggage of Reserve Regiment of Hussars No. 6 was fired on when moving out of the cavalry barracks, and was forced to return. When, in the evening, the regiment of hussars had returned to the barracks, shots were fired into the buildings from all the surrounding houses. Peace was only restored when all the houses had been set on fire and the inhabitants shot, in so far as they were found with arms in their possession. Numerous explosions of stored cartridges and explosives proved that the attack had been carefully planned and prepared. The next morning the regiment of hussars was able to leave the barracks without any losses, but a patrol of the 1st Squadron in Rotselaer was fired on suddenly by about 50 civilians, and, as a result, 2 hussars were wounded and 1 horse killed.

Whenever bodies of troops showed themselves in the town they were fired at. Towards midnight an especially lively fire was suddenly directed from the roofs of the houses opposite the station upon the troops and the General Command encamped there. The proclamation of the Mayor had consequently been fruitless. Therefore there was nothing else to be done but to have the civilians found firing from the windows, of whom several were discovered to be soldiers in disguise, shot, and the houses set on fire. In spite of those measures, the troops of the Reserve Corps, who had been fired at from all sides when coming into the station, were obliged to fight when marching through the town on the forenoon of the following day, and sustained some losses. On the morning of August 25th I went with the officers of the Staff to the field of battle. We were also fired at when driving out. The second échelon of the Staff remained behind, as well as Staff Officer Captain Albrecht, to whom I gave orders to collect the arms in the town. For the execution of this order, the 2nd Battalion of Infantry Reserve Regiment No. 75 and a company of Infantry Reserve Regiment No. 163 were placed at his disposal. A threat was made that, in the event of a continuation of the attacks by the citizens, the town would be bombarded. On Wednesday forenoon the fighting recommenced with renewed violence. A systematic disarming of the town became impossible, also the collection of a fine

of twenty million francs levied on the town. According to the statement of Captain Albrecht, he was obliged to assemble the whole garrison at the station, in order to hold it under any circumstances for the coming reinforcements. He was especially menaced from the houses situated to the east, and from a factory which had been prepared for defence, and had therefore to be levelled to the ground. But even from the remaining outer walls, which had escaped destruction, the fire was reopened. The occupants who had fled into the cellars procured ladders, from which they renewed the firing. Several armed persons, remarkable because of their robust and still comparatively young appearance, were discovered in the trees of the Boulevard and arrested. Many of them were ascertained to be soldiers in disguise by their identification discs and parts of their uniform they were wearing underneath the civilian clothes. Numerous and violent explosions resounded from the burning houses, due to explosives and cartridges stored there. On the following day also the troops were continually fired upon. Captain Albrecht had the people once more exhorted by two priests to keep the peace, but this attempt also was in vain. As the revolt again extended a detachment of artillery was sent into the town on August 27th, and several houses were destroyed. This detachment of artillery was put at the disposal of Lieutenant-Colonel Schweder, Commander of the Landsturm Battalion Neuss. On August 28th, 2nd Infantry Reserve Battalion, Regiment No. 75, was replaced by Landwehr Regiment No. 53, and the detachment of artillery was replaced by a Landsturm battery. On the same day a detachment of pioneers made a breach in the convent, situated at the exit leading to Herent, from which building the military road was fired upon with special intensity.

In spite of these measures, the firing upon columns and troops continued without interruption until August 28th.

After the preceding evidence, His Excellency v. Boehn also gave the following legal opinion about the burning down of Louvain before Dr. Ivers, Councillor of the War-Field Court of Justice, leading the inquiry :

The progress and the fury of these fights already prove that we are here dealing with a planned organisation. It is proved beyond doubt by the following facts :

1. In a church in Louvain 300 rifles were found, and in Herent numerous rifles, pistols, and a great quantity of ammunition were discovered by the 18th Division.

2. A large number of the civilians, who took part in the rising and were shot, were ascertained to be soldiers.

3. In the haversacks of fallen soldiers civilian clothes, especially garments of priests, were found. The priests themselves led and incited the population. In Bueken, for instance, the signal to fire was given by the priest leaving the church. In spite of his assurance that no armed men were in the church, five were caught. They fired from the roof of the church. All these people were shot.

Acting-Sergeant-Major Predöhl, Reserve Regiment of Hussars No. 6, reported that he was fired at by twelve priests while on patrol duty. After they had been arrested with the help of the field-battery column of the III. Reserve Corps, which was close by, they were taken to the III. Reserve Corps to be tried, but they were liberated by the court-martial, as it could not be proved who had fired. These people had identification discs and wore military boots and under-garments.

4. During the fights a uniform was often found close to the empty haversack, but no corpse; the owner had no doubt disappeared in civilian dress.

5. Amongst those persons caught red-handed and shot immediately were quite a number in very disarranged workmen's clothes. By their delicate hands, their exceptionally fine and superior underclothes, one could recognise with certainty that the garb of a workman was not their usual one. Inhabitants of the place declared they did not know these people and had never seen them there before. The Garde Civique formed the nucleus of these bands of francs-tireurs, at the head of which was evidently the Commandant of Louvain, whose baggage was taken as booty to the Hôtel Métropole. It is obvious how easy it is for bodies like the Garde Civique, who usually wear civilian clothing, to continue to wear it or put it on again, as best suits their purpose. Louvain was obviously the centre of this organisation, which was most effectively made use of here because the Commandant was on the spot.

The sortie from Antwerp on August 25th was evidently the signal for the commencement of activities.

Consequently the whole population had to be removed from the district; to as large an extent as possible they were taken as prisoners to Germany. For as Antwerp is not completely shut off, they could always rise again, and would

do it with the courage of despair. Their removal to Antwerp would therefore be no real remedy.

Read over, approved, signed.

Signed : VON BOEHN.

The witness was then sworn. Apart from that, he had taken the oath on his opinion given in to-day's report of the proceedings.

Proceedings closed.

Signed : Dr. IVERS. Signed : REISENER.

D. App. 2.

Court of the Government-General at Brussels.

Present :

Dr. IVERS, Judge of Military Law.

Secretary, REISENER.

NOYON, *September 27th*, 1914.

Major von Klewitz, officer of the General Staff, IX. Reserve Corps, declares as follows :

As to Person : My name is Wilhelm von Klewitz, born at Magdeburg on February 3rd, 1872 ; Protestant.

The witness was told that the Governor-General, Field-Marshal General Baron von der Goltz, had arranged judicial proceedings for the purpose of ascertaining whether military persons, and, if so, which, are guilty of the destruction of Louvain by fire ; he then made the following statement :

As to Case : When the General Staff arrived at Louvain station, Captain Albrecht, who has since fallen and who had preceded the General Staff, reported that he had prepared quarters in the town, at the Hôtel Métropole, where the Commander-in-Chief had also stayed, and that the town was perfectly quiet. We then proceeded to the Hôtel Métropole in the town, and from there to our offices. This was about 6 o'clock p.m.

We had just spread out our maps and were informing ourselves with regard to the situation when Acting-Sergeant-Major Fischer returned by motor from the III. Reserve Corps and reported that the III. Reserve Corps before Antwerp was attacked and asking for immediate support from the IX. Reserve Corps. At that time about half of our corps was detrained and the other half still on the rails. The Chief of the General Staff and I immediately went to see the General in command. Meanwhile the greater part of the officers of the General Staff with the horses had

arrived and were still busy with the unloading. It must also be mentioned that on driving up to the battlefield the Commanding General ordered the alarm to be sounded, and the troops already quartered in Louvain were ordered to the battle-ground.

At 9 o'clock p.m. the General, the Chief of the General Staff, and I returned to Louvain by motor-car. The battle took place at Bueken, 7 km. north of Louvain. On returning to Louvain we already found in the villages situated between Bueken and Louvain regular troops (of the Landwehr) who declared that our men were being fired at in the surrounding villages. We saw ourselves how all the traffic was stopped in a village because firing from the houses had taken place. All troops warned the Commanding General from going into the town because street-fights were taking place there. But the Commanding General declared that he would not leave his Staff in the town if fighting were going on, and he wished to return to the Staff. We were therefore obliged to get out when we got into Louvain. The Commanding General, with the chauffeurs and we few officers, went through the dark town to the market-place at about 10 o'clock p.m. During this march through the town a flank fire was opened on us every time we turned a street corner. Suddenly, the Staff veterinary surgeon of the corps arrived and reported that the Staff of the General Commandant had been attacked, and that the horses were either shot or had stampeded. The men were firing on the houses. The baggage therefore was safe, only the horses were gone. We went first of all to the town hall, and there found a number of hostages who had been taken in the meantime. My brother, Lieutenant v. Klewitz, now told the hostages in the presence of the Commanding General that they would be shot if the firing in the town did not cease at once. The hostages then begged to be allowed to use their influence in the streets. Lieutenant v. Klewitz then passed through the town with the hostages, and the inhabitants were exhorted to be quiet. We then went to our Hôtel Métropole. When we arrived there we found in front of the house a civilian, shot. It appeared that this man had sat in the Hôtel Métropole, and when the hotel was searched he had been found in a room, armed, and had wounded two soldiers, whereupon the soldiers shot him in a hand-to-hand fight and threw him out of the window. Besides one civilian person, of whom we know nothing, there was no longer anyone in the hotel.

The Commanding General then went, under escort of a company of infantry, through the streets to the station, and stayed there in order to conduct the whole affair. The motors of the General Staff had also taken up a position there. Temporary quiet reigned at the station. At about 11 o'clock p.m. some isolated shots were fired from the surrounding houses upon the troops stationed at the railway station, which was followed by continually increasing firing, so that the Commanding General ordered the house to be taken. The house was taken and, as armed resistance was encountered, it was set alight. The house was hardly alight when I saw personally the following incident :

I was standing with my back to the station and looking at another house. I saw how the corner window on the top was lit up, a dark figure appeared at the window, and a shot was fired into the street. At the same moment when this shot was fired I saw how the tiles in the roof of the Hôtel Maria Theresa were raised, and a terrible fire was opened from the roof of this hotel upon the troops in the station square. We all immediately sought cover. Personally I had the definite impression that we were being fired on with machine-guns from the Hôtel Maria Theresa ; the bullets were rattling down on us. On the following morning one was able to ascertain that we had been fired upon with machine-guns, because at the station one could distinctly see the rows of fire. The fire from the machine-guns lasted about four to five minutes, and was immediately replied to by our troops, who finally took the house and set it alight. In the meanwhile, a number of wounded were brought in. Definite instructions had been given to burn at once all those houses from which firing had taken place. Many Belgian civilians were taken with arms in their hands ; they were to be shot by order of the General in Command. At about 2 o'clock the firing ceased. Stores of ammunition continually exploded during the burning down of the houses. The General in Command sat in a railway carriage from 2 till 4 o'clock at night. At 4 a.m. the army corps marched to the battle. We did not pass through the main streets, but drove along an avenue. Here I saw distinctly the following incident :

As I sat in the motor several shots were fired out of a cellar on the left at a distance of 20 metres. We fired on this cellar-opening, whereupon the firing ceased. The

Commanding General left the motor with loaded revolver and went to the open place just in front of the bridge. We then went to the battlefield. Behind us, infantry advanced. The officer marching at the head was shot by a civilian who sat on a tree at exactly the same place where we had left the car.

As the regular line of halting-places was continually fired at, orders were given to clear the town by force. Two guns with 150 rounds were sent. The two guns fired shrapnel from the station into the streets. Thus at least that quarter near the station was made safe, and in this way it was possible to take the columns, that had been bivouacking for days before Louvain, through the town.

Read over, approved, signed.

Signed: v. KLEWITZ.

The witness was then sworn.

Proceedings closed.

Signed: Dr. IVERS.

Signed: REISENER.

D. App. 3.

Court of the Government-General at Brussels.

Present:

Dr. IVERS, Judge of Military Law.

Secretary, RAMBEAU.

LOUVAIN, *September 23rd, 1914.*

Major v. Manteuffel, commanding 15th Mobile Commando, declared as follows:

As to Person: My name is Walter v. Manteuffel, born at Gnesen on January 23rd, 1864; Protestant.

The witness was informed that the Governor-General, Field-Marshal General Baron von der Goltz, had arranged judicial proceedings for the purpose of ascertaining whether German military persons, and, if so, which, were guilty and deserving of punishment; he then made the following statement:

As to Case: On Sunday, August 23rd, 1914, at noon, we arrived at Louvain. The town gave me an impression of quietude and peace. One company of Landwehr Regiment No. 66 occupied the town hall. There were no other troops present. As soon as troops arrived, the company was to commence the victualling. This was the case on

Tuesday at noon. The following troops had arrived in the meanwhile: two companies and a battalion of the 27th Landwehr Brigade, which were accommodated in the town hall and in the building opposite. Sections of troops of the IX. Reserve Corps also marched through the town. In the afternoon, at about 5 o'clock, the 1st Company of the Landsturm Battalion Neuss, under 1st Lieutenant v. Sandt, arrived at the station.

At about 7.30 p.m. I had gone to the Hôtel Métropole, Rue Vital Decoster, to dine. I had just finished the soup when a gendarme (we had six of them with us) brought me word that I was to go to the town hall. On the way he told me that inhabitants had fired upon soldiers in the town. A few minutes later at the town hall I heard suddenly lively firing in the town-hall square. I saw the company in the lower room standing at the windows and replying to the firing of the inhabitants. In front of the town hall, on the entrance staircase, I also saw soldiers firing who replied to the firing of the inhabitants in the direction of the houses. When asked, they all declared that inhabitants had first fired on them from such-and-such windows. The whistling of the bullets was similar to that of Brownings, and totally different from the sound of our projectiles. In the meanwhile, the firing had been stopped by the company leaders. In the upper room lay another company. It was quiet for a time. The town-hall square was now filled with artillery—one battery—and with columns, motor-cars, and benzine-tanks. A tremendous rifle-fire now commenced again from the surrounding houses of the townsfolk. I saw how one company sought cover in the entrance to St. Peter's Church.

In the meantime, we had deposited the wounded in the town hall; I believe there were three, wounded chiefly in the legs.

After the firing had again ceased I ordered the surrounding houses to be searched. This was effected in such a manner that all inhabitants found with arms or ammunition were immediately shot. The houses were set on fire. I saw myself one Belgian civilian on whom was found a roll of cartridges. At about this time the General in Command, IX. Reserve Corps, His Excellency v. Boehni, arrived at the town hall at about 10.30 p.m. He was very indignant about this firing by the Belgians. When he rode to the hotel with the Staff a murderous fire was opened

upon him and his Staff from windows and roofs, without any provocation, and three of his adjutants were seriously wounded, a troop of about ninety horses was stampeded, wounded, or killed. His Excellency v. Boehn asked to be conducted to the town hall to see the hostages. In his own presence and that of his officers, the hostages were told in French that if the town continued to be fired on, the town would have to pay a contribution of twenty million francs, the hostages would be shot, and the town destroyed.

I offered to make these measures at once known to the inhabitants by going through the town with two hostages and a group of soldiers, and the hostages repeated the words of General v. Boehn. On the following morning the General had this procession with the hostages repeated. Several houses from which firing had taken place were already burning. No firing by the inhabitants was heard at the town hall, but on the boulevards the firing is said to have been continued. I wish to add that at the town hall a horse was killed by a shot in the head.

Read over, approved, signed.

Signed : v. MANTEUFFEL.

The witness was then sworn.

Signed : Dr. IVERS. Signed : RAMBEAU.

LOUVAIN, *September 23rd, 1914.*

EXPERT OPINION of the Commandant, 15th Mobile Forage
Commando, Major v. Manteuffel.

In addition to my statement as a witness I would like to express expert opinion as Commandant and soldier to the effect that the whole firing was instigated by the inhabitants. At the same time, the approach of two Belgian battalions from the direction of Bueken was reported. The German detachments on duty were given the alarm to oppose this. When these troops had nearly got away, the Belgian inhabitants opened a lively fire upon them from windows and garret dormers. Our German soldiers went through the streets quietly and unsuspectingly, when they were suddenly fired on. The German soldiers in no way commenced or provoked the firing.

Signed : v. MANTEUFFEL, Major and Com-
mandant.

D. App. 4.

Court of the Government-General at Brussels.

Present :

Dr. IVERS, Judge of Military Law.

Secretary, RAMBEAU.

LOUVAIN, *September 23rd, 1914.*

Lieutenant of the Landwehr Ibach, Adjutant, Mobile Foraging Commando No. 15, declared as follows :

As to Person : My name is Ernst Ibach, born on May 16th, 1882, at Braunschweig ; Protestant ; Municipal Councillor at Halberstadt.

The witness was informed that the Governor-General, Field-Marshal General Baron von der Goltz, had arranged judicial proceedings for the purpose of ascertaining whether German military persons, and, if so, which, were guilty and deserving of punishment ; he then made the following statement :

As to Case : On August 25th, 1914, I was as adjutant of the Forage Commando at Louvain in the town hall there. Between 7 and 8 p.m. it was reported to me several times at short intervals that Belgians had fired upon our German troops on the outskirts of the town. I asked the Commandant, Major v. Manteuffel, to come to the town hall. Shortly after his arrival, at about 8 p.m., violent firing took place directly outside the town hall. On going from the office of the Commando into the hall, our soldiers told me that the inhabitants had fired from the opposite windows and roofs. The German soldiers replied to the fire. Among the soldiers at the town hall I saw several with shot-wounds ; one was injured in the upper part of the thigh, and was bandaged at the office of the Commando. In the course of the night, German soldiers brought in a corpse wrapped in a red cover ; the bearers related that he was an ensign of the 90th Regiment, who had been shot in the head by the Belgians.

During the night I noticed that a house diagonally opposite and one behind the town hall were burning. I went to see Judge Schmit, who was at the town hall as a hostage, and upon my request he asked the police to collect the firemen who, in company with German soldiers, commenced operations for extinguishing the fire. The other houses burned near the town hall and the Peter Church were, as far as I could see, set on fire by sparks from neighbouring

conflagrations. The roof of the church burned first. The endeavours of an hussar officer to extinguish the fire by means of a Minimax apparatus from the roof of the church were ineffective.

A soldier coming to the town hall gave me a broken shot-gun which had been found in the possession of an inhabitant shot by summary court-martial.

Read over, approved, signed.

Signed : ERNST IBACH.

The witness was then sworn.

Signed : DR. IVERS. Signed : RAMBEAU.

D. App. 5.

Court of the Government-General at Brussels.

Present :

Dr. IVERS, Judge of Military Law.

Secretary, RAMBEAU.

LOUVAIN, *September 23rd, 1914.*

Judge of Military Law Grebin declared as follows :

As to Person : My name is John Grebin, born at Halle a.S. on May 30th, 1867 ; Protestant ; President of the Court of Justice at Aschersleben.

The witness was informed that the Governor-General, Field-Marshal General Baron von der Goltz, had arranged judicial proceedings for the purpose of ascertaining whether any German military persons, and, if so, which, were guilty and deserving of punishment ; he then made the following statement :

As to Case : I am President of the Military Court of Justice, Mobile Supply Commando No. 15, and since Sunday, August 23rd, 1914, I have been at Louvain. On Tuesday, August 25th, at about 7 o'clock p.m., I was having supper with Major Manteuffel, Captain v. Westhofen, and 1st Lieutenant Winkler, at the Hôtel " Métropole de Suède," Rue Vital Decoster. Suddenly a gendarme came and reported to Major v. Manteuffel that the alarm had been raised. Major v. Manteuffel immediately set out, whilst we others remained a few minutes longer, and then followed the Major. We then left the hotel and went to the Rue de la Station on our way to the town hall. On the way there I stopped twice for a short time, addressing a German company marching through the Rue de la Station from the direction of the market-place to the station, and immediately

afterwards speaking to an officer who sat in a motor-car. When I entered the market-place I heard suddenly violent firing to the right of me, in a street leading to the market-place at the corner of the Rue de la Station. To judge from the sound, the firing did not come from German military rifles. As I advanced a few more steps towards the town hall, violent firing could be heard in the market-place, which, to judge from the direction of sound, came from the houses. As I could not proceed and could not remain without cover in the market-place, I sought cover between the baggage-carts standing on the left of me in the market-square. While I stood there, a bullet fell a few steps away from me upon the pavement, and I could clearly see the sparks flying up. When after a time the firing ceased, I went to the town hall, where I remained until the morning.

Read over, approved, signed.

Signed: JOHANNES GREBIN.

The witness was then sworn.

Signed: DR. IVERS. Signed: RAMBEAU.

D. App. 6.

Court of the Government-General at Brussels.

Present:

Dr. IVERS, Judge of Military Law.

Secretary, RAMBEAU.

LOUVAIN, *September 23rd, 1914.*

First Lieutenant Telemann of the Reserve, Supply Commando, declared as follows:

As to Person: My name is Paul Telemann, born at Nordhausen on October 20th, 1877; Protestant; Royal President at the Ministry of Public Works in Berlin.

The witness was informed that the Governor-General, Field-Marshal General Baron von der Goltz, had arranged judicial proceedings for the purpose of ascertaining whether German military persons, and, if so, which, were guilty and deserving of punishment; he then made the following statement:

As to Case: Since noon on August 25th the infantry barracks, Rue de Tirlemont, with about 300 men suffering from foot trouble and a few slightly wounded doing guard duty at Louvain, were under my supervision.

On the evening of August 25th I and two 1st Staff-Surgeons were having supper in the Café Royal—since burned down—in the market. Suddenly—as far as I remember, soon after 8 p.m.—I heard lively firing in the market, which steadily increased. The hostess, a German, immediately switched off the electric light, and we and the other guests of the establishment, chiefly officers and non-commissioned officers of our army, went into a back room so as not to be hit from the street. As the greater number of us were without arms, we decided for the present to wait there.

When after a time the firing ceased, we hurried into the street, and there met German soldiers going along the houses for the purpose of taking action against those from which inhabitants had fired. As far as I remember, only isolated shots fell at that time. We went over to the town hall, where I met a group of people from my barrack who had gone to the town hall to look for me. I at once went with them to the infantry barracks. During this time also only isolated shots were fired behind us.

The guard and a large number of soldiers stationed there stood in front of the infantry barracks with their rifles ready, and they showed me several houses in the Rue de Tirlemont from which inhabitants had fired on them. I forbade them, under threat of heavy punishment, to set these houses on fire as they had intended, as I wished to protect the "Military Hospital" opposite the barracks and the barracks themselves with the wounded. A short time afterwards we heard continuous firing from the direction of the adjoining Place du Peuple, and in this direction we also saw several houses burning. Motor-cars arrived now, bringing German wounded to the "Military Hospital." As far as I remember, there were in all about thirty to thirty-five, amongst whom were also some severely wounded, as, for instance, Captain v. Esmarch, who had shot wounds in the head and had dislocated both arms in his fall from horseback.

Owing to the fairly strong wind the entire blocks of houses behind the field hospital began to catch fire, apparently from the houses set alight in the Place du Peuple; I had thus to direct my whole attention to the safety of the wounded. Fortunately the wind abated somewhat later on and drove the flames to the other side, so that after bringing up fire-hose, it was possible to save the field hospital.

During the night the crack of isolated gun-shots and the

explosion of ammunition in the burning houses continued intermittently.

In the early hours of the morning a division of pioneers marched through the Rue de Tirlemont, who asserted that they had just been fired on from the houses of this street, and they also wanted to set the houses on fire. I forbade this for the reasons already mentioned.

Read over, approved, signed.

Signed : PAUL TELEMANN.

The witness was then sworn.

Signed : Dr. IVERS. Signed : RAMBEAU.

D. App. 7.

Court of the Government-General at Brussels.

Present :

Dr. IVERS, Judge of Military Law.

Secretary, RAMBEAU.

LOUVAIN, *September 17th*, 1914.
Station Buildings.

During the judicial proceedings of the Court of the Government-General at Brussels for the purpose of ascertaining whether any German military persons, and, if so, which, were guilty and deserving of punishment for the burning down of Louvain, there appeared as witness :

Lieutenant-Colonel (Active List) Schweder, commanding 2nd Mobile Landsturm Infantry Battalion Neuss, who made the following statement :

As to Person : My name is Max Karl Schweder, born in Posen on April 24th, 1856 ; Protestant.

As to Case : On Monday, August 24th, 1914, the Landsturm Battalion Neuss, coming from Neuss, arrived in Tirlemont, and was immediately detained. I went with my Staff by motor to Louvain, where I arrived about 6.30 p.m. It was my intention to prepare everything for the drawing up and quartering of the Company v. Sandt. The company also arrived at Louvain at 8.10 p.m. ; it was quartered near the station, with closed ranks in an alarm quarter. I, 1st Lieutenant v. Sandt, 1st Surgeon Dr. Berghausen, and Adjutant-Lieutenant Lamberts took up our quarters at an hotel opposite. The night of August 24th to August 25th was quiet. On August 25th, at 6 a.m., began the marching of the troops of the IX. Reserve Army Corps through Louvain towards Malines, coming from Liège. On the 25th there were only about 100 men in Louvain of the v.

Sandt Company, because about 100 men were told off for guard and sentries. As far as I know, no other troops were present in Louvain on Tuesday, August 25th, except this company. During the day, until 5 o'clock p.m., the town was perfectly quiet. At 5 o'clock Staff-Major-General, 17th Reserve Division, v. Rosenberg appeared and ordered the company to be ready at the north-west exit of Louvain. I and 1st Lieutenant v. Sandt immediately led the company there and drew it up, covered by the crest of a small hill. The company lay there from 5.45 till 7 o'clock at this point without taking part in the fight, which, as far as I remember, had already begun at 11 a.m. on both sides of the main road Mechlin-Louvain, and the main points of attack were Herent and Bueken.

Shortly after 7 o'clock I ordered 1st Lieutenant v. Sandt to march back with his company and to draw it up ready at the station at Louvain, because I felt that the company was more necessary there than outside the town. I myself went on foot through the town, which was almost devoid of troops, to the station. I saw some isolated persons and several of the inhabitants in small groups standing in front of the houses and walking about in the streets. The houses were everywhere dark. Of the German forces I saw in the evening only a few baggage-carts accompanied by small detachments.

About 500 paces from the station, in the Rue Leopold, I saw suddenly the flash of a rocket across the station road. At the same moment firing took place from all surrounding houses, from windows, attics, cellar gratings, upon me and upon the German soldiers near—about fifteen men, who were in the street either singly or were following their baggage, which was ahead of them. I emphasise particularly the point that before the rocket went up the streets were perfectly quiet, and that the soldiers went quite quietly and harmlessly on their way. I assert distinctly that neither a German officer nor a German soldier had once fired upon the inhabitants of Louvain before this attack began. I collected about ten soldiers, with whom I went to the station, part of them going on one side of the road and part of them on the other. On the way, a distance of about 500 metres, I with my men, about ten of them, were fired at from the houses of this street, so that we were continually under a hail of bullets. During this march I ordered my soldiers to reply to the fire directed upon them.

When I arrived at the station, 1st Lieutenant v. Sandt's

company was already fighting the inhabitants of the surrounding houses, who fired from the roofs, windows, and cellar windows. I immediately placed myself in the firing-line and took part in the fight with a rifle; 1st Lieutenant v. Sandt did the same. About ten minutes later there was a pause in the firing, which I made use of for sending strong patrols into the nearest houses, from which firing had taken place, to bring out the inhabitants. I took the company straight back to the station. One non-commissioned officer and five men of the company were wounded, several by small-shot.

In the course of the evening His Excellency v. Boehn appeared with a few officers, and I and 1st Lieutenant v. Sandt had to give a general report.

I finally add that, with short intervals, the inhabitants fired during the whole night from their houses, and also from the group of houses to the east of the station.

Read over, approved, signed.

Signed: MAX SCHWEDER.

The witness was then sworn.

Signed: Dr. IVERS. Signed: RAMBEAU.

D. App. 8.

Court of the Government-General at Brussels.

Present:

Dr. IVERS, Judge of Military Law.

Secretary, RAMBEAU.

LOUVAIN, *September 17th*, 1914.
Station Buildings.

First Lieutenant of Reserve v. Sandt, 2nd Westphalian Hussar Regiment No. 11 and leader of the company, 2nd Mobile Landsturm Infantry Battalion Neuss, declares the following:

As to Person: My name is Otto v. Sandt, born at Bonn, May 11th, 1869; Catholic.

The witness was informed that the Governor-General, Field-Marshal General Baron von der Goltz, had arranged judicial proceedings for the purpose of ascertaining whether any German military persons; and, if so, which, were guilty and deserving of punishment; he then made the following statement:

As to Case: I arrived at Louvain from Neuss with the 1st Company, 2nd Mobile Landsturm Infantry Battalion Neuss, on August 24th, 1914. My company was quartered

in closed ranks in an alarm quarter near the station. The night passed quietly; on the morning of August 25th I commenced at once to fall in 150 sentries as a railway guard. There were no other troops in Louvain on this day except a section of railway engineers, about 60 strong. During the day, great trains of troops of the IX. Reserve Army Corps, coming from Liège, went through Louvain towards Malines. At about 5 o'clock Colonel Schweder ordered me to march with my company to the north-west exit of Louvain; at about 6 o'clock my company lay upon a small hill in a covered position. A good deal of fighting was taking place about 1500 metres away from us. I did not take part in it with my company. On the command of Colonel Schweder we marched back to the station square at Louvain. On the way to the town-hall square many German troops with the baggage passed us. Inhabitants stood singly and in groups before the various houses. On the way to the station square all was quiet; one could not anticipate that the inhabitants were planning an attack. At about ten minutes before 8 o'clock I was with my company in the station square near the baggage that was ready to march. I stood with my company about five minutes, when my company was suddenly and quite unexpectedly fired at from all the surrounding houses, from the windows and attics. At the same time, I heard lively firing in the station road and all the adjacent streets; firing also took place from the window of my hotel (Hôtel de l'Industrie), directly from my room.

We stood near the baggage; then we knelt down and fired upon the houses opposite. After a short time the baggage horses and those of the officers, some of which had been wounded by shots, ran away. I then sought cover with my company inside the doors of a few houses. Five men of my company were wounded in this attack. That so few were wounded can be explained by the fact that the inhabitants fired too high. On the command of Colonel Schweder I then led my company back, close to the station.

An hour later an adjutant came who called my name—v. Sandt. He said that he was an adjutant of His Excellency v. Boehn. The adjutant asked me, "Can you swear that Belgians fired on your company from the opposite and adjacent houses?" I replied, "Yes; I can swear that." The adjutant then led me to General v. Boehn, who stood near. His Excellency desired an accurate report. I gave my report exactly as I have given it here before the Judge

of Military Law, Dr. Ivers. After having given my report, His Excellency said to me, "Can you swear to the accuracy of what you have just reported to me, especially to the fact that the inhabitants first fired from the houses?" I replied to this, "Yes; I can swear to this."

Read over, approved, signed.

Signed: OTTO V. SANDT.

The witness was then sworn.

Signed: Dr. IVERS. Signed: RAMBEAU.

Court of the Government-General at Brussels.

Present:

Dr. IVERS, Judge of Military Law.

Secretary, RAMBEAU.

LOUVAIN, *September 17th*, 1914.
Station Buildings, 4 o'clock p.m.

First Lieutenant v. Sandt added the following:

About half an hour after His Excellency v. Boehn had spoken with me about the firing of the Belgians from their houses upon my company, and after His Excellency had had these houses at the station set on fire, and while they were blazing, with the exception of the house "Maria Theresa" (an hotel which was not set on fire because near it were the military benzine stores), two or three more volleys were fired from the windows, and particularly from the roof of this hotel directly upon the officers and men standing in front of the station. Besides my company, about 150 soldiers of the 35th Reserve Regiment, just detrained, stood in front of the station. It was only now that—after having removed the barrels of benzine—we fired on the house and set it alight.

After this statement too had been read to the witness he declared it also on the oath which he had taken at the first examination on the morning of the same day.

Signed: OTTO V. SANDT.

Signed: Dr. IVERS. Signed: RAMBEAU.

Court of the Government-General of Belgium.

Present:

President, STEMPER.

Secretary, STEMPER.

MALINES, *November 19th*, 1914.

There appears on citation Captain v. Sandt as witness,

and after the object of the examination has been made known to him, he is examined as follows :

As to Person : As already stated.

As to Case : I can only confirm as perfectly true my statement of September 17th, 1914, which has been shown to me again. Like my commander, Schweder, I had taken up my quarters in the Hôtel de l'Industrie at Louvain. I did not see myself the light signals shown at the station, but soldiers of my company assured me repeatedly in the most trustworthy manner that light signals had gone up near the station, and the firing from the surrounding houses commenced immediately afterwards. The shots from these houses were undoubtedly fired by civilians. There were not yet any German soldiers in the houses at that time. Our soldiers only fired after a lively fire had been opened on them from the houses. Our troops marched into Louvain in close order when they arrived from the fight at Bueken, and they were not pursued by Belgian troops as far as Louvain. The Belgian troops had been pressed back beyond Herent to Bueken. There was no reason at all for our troops to fire prior to the firing from the houses. I emphatically declare on my oath that it is altogether out of the question that our troops should have previously fired upon each other by mistake in Louvain. I was told that identification discs were frequently found on shot civilians, so that one may assume that Belgian soldiers in civilian clothes took part in the firing. I did not myself see any mutilated German soldiers in Louvain, but soldiers of the Marine Battalion—I think of the 7th—under the command of Colonel v. Berund, told me credibly that a German soldier had been found in the Hôtel de Suède with the head beaten in. According to their statement another German soldier was found dead in the Rue Maria Thérèse, his legs and arms having been chopped off. This house was consequently set on fire.

Read over, approved, signed.

Signed : OTTO v. SANDT.

The witness affirmed the correctness of his statement, referring to the oath already previously made.

Signed : STEMPER. Signed : STEMPER.

D. App. 9.

Court of the Government-General at Brussels.

Present :

Dr. IVERS, Judge of Military Law.
Secretary, RAMBEAU.LOUVAIN, *September 23rd, 1914.*

First Surgeon, 2nd Mobile Landsturm Infantry Battalion Neuss, Dr. Berghausen made the following statement :

As to Person : My name is Georg Berghausen, born at Cologne o.Rh. on February 1st, 1881 ; Old Catholic.

As to Case : I am Battalion Surgeon in the Landsturm Infantry Battalion Neuss, and arrived at the station of Louvain with the 1st Company of this regiment on August 24th, 1914, at noon. I lived with the Staff in the Hôtel "De la Ville," and in order to prepossess the proprietor and the employés I immediately paid out of my own pocket 50 francs for the purchase of provisions. The evening of the 24th and the night passed quietly. At noon on the 25th I was on duty at Herent and Bueken. At about 4 p.m. I was again in Louvain. At about 5 o'clock I heard that there was a battle proceeding at Bueken. The 1st Company of the Landsturm Infantry Battalion Neuss, under 1st Lieutenant v. Sandt as company leader, marched to the north-west exit of Louvain. I had gone there previously by motor, and went as far as the fighting-line before Bueken, where I was repeatedly fired at whilst sitting in my car, though I was wearing the white armband with the red cross. I returned to Louvain in my car at 11.30 p.m. I got out near the town hall and sent my car with the chauffeur to the station. I myself went on foot along the Rue de la Station in order to go to the station where I was living. On the way, between the town hall and the station, I was fired at from the windows of the houses about ten or twelve times. Close to where the Monument stands, I saw a German soldier lying dead on the ground ; he had been shot in the head (mouth). His comrades, with whom he had passed the Monument, told me on inquiry as to who had shot the soldier, that the shot had been fired from the corner house of David Fischbach. With the help of my servant I broke open the street door, and there first encountered the occupant, old David Fischbach. I questioned him regarding the murdered soldier, because, as the other soldiers declared with certainty, the shot that had killed

the soldier on the Monument place had been fired from his house. Old David Fischbach declared that he knew nothing about it. His son, young Fischbach, then came down the stairs of the first floor, and from the porter's lodge came an old servant. I immediately took father, son, and servant into the street. At this moment a tumult arose in the street because the soldiers, standing near the Monument, and I myself, were being terribly fired on from a few houses farther away on the same side. During this time I lost Fischbach, his son, and the servant in the darkness.

Lively firing proceeded from a house obliquely opposite the present commando, Rue de la Station, No. 120. Just in front of this house, No. 120, two officers of high rank and several soldiers passed, hurrying in the direction of the station on account of the violent firing. I can state with certainty that the officers and soldiers, who went along the Rue de la Station during the time that I passed from the town hall to the railway, did not fire. Accordingly, it is certain that while the German soldiers did not fire, the inhabitants fired on us German officers and soldiers from their windows in the Rue de la Station on the night of August 25th to 26th, at between 11 and 12 o'clock, and, particularly that when we passed the house No. 120, Rue de la Station, I saw myself that a murderous fire was directed upon us officers and soldiers from the second floor of this house. That we, or some of us, were not killed, I can only explain by the fact that the officers and soldiers ran along on the same side of the street from which the firing took place, and that, moreover, it was dark.

A few minutes later I met, near the Monument, the commissariat Commandant, Major v. Manteuffel, with the Belgian president of the Red Cross, the prior of the Dominican Monastery, and the old priest of the town. We four or five all saw the shot soldier and, a few steps farther, the old Fischbach lying shot in front of the Monument. I assumed that the comrades of the shot soldier, who had seen the firing from the house of Fischbach upon their comrade, had immediately carried out this punishment on the owner of the house. I then joined the Commandant with his group of eight soldiers and the three hostages. The Commandant went with his soldiers and the three hostages through the main streets of the town, and the Father Prior announced in a loud voice in Flemish and French that no Belgians should fire upon German soldiers,

otherwise the hostages would have to be shot and the town would have to pay a fine of twenty millions, and furthermore the houses, from which German soldiers had been fired at, would be burnt.

From this statement of mine, which I can conscientiously swear to, it can be clearly seen that on the night of August 25th to 26th, and also on the forenoon of August 26th, the inhabitants fired repeatedly and frequently upon German officers and German soldiers without any cause, that is to say, without a German officer or a German soldier having first fired upon the inhabitants.

Finally, I wish to add that during those days I saw myself a 1st Surgeon, a Captain, and a Landsturm soldier wounded by small-shot, the two former in the face; I treated the Landsturm soldier myself; he had shot-wounds in the forehead, on the right hand, and the right thigh. I also treated a fourth wounded, a Landsturm soldier with shot-wounds in the thigh.

Read over, approved, signed.

Signed: Dr. GEORG BERGHAUSEN.

The witness was then sworn.

Signed: Dr. IVERS. Signed: RAMBEAU.

D. App. 10.

Court of the Government-General at Brussels.

Present:

Dr. IVERS, Judge of Military Law.

Secretary, RAMBEAU.

LOUVAIN, *September 17th, 1914.*
Station Buildings.

Non-commissioned Officer Friedrich Hüllermeier, 1st Company, 2nd Mobile Landsturm Infantry Battalion Neuss, made the following statement:

As to Person: My name is Friedrich Hüllermeier, born at Hardenberg, near Neviges (district of Düsseldorf), on November 13th, 1874; Protestant.

As to Case: On Monday, August 24th, 1914, our company, coming from Neuss, arrived at Louvain, the 1st Company having gone as far as Louvain by rail. I was attached to the baggage, consisting of three carts, three drivers, six men, and four cyclists. We arrived at Louvain at about 9.30 p.m. The night passed quietly at Louvain. On August 25th everything in Louvain was quiet until

5 o'clock p.m. Our carts and baggage, with the necessary guard, stood in front of the hotels in the station square. At 5.30 the baggage leader, Non-commissioned Officer Cardinco, came and gave orders to fetch the horses at once from the avenue and side-street, and to make them ready for marching. We stood harnessed. At about 8 o'clock our company, with 1st Lieutenant v. Sandt at its head, returned from the north-west exit of Louvain and drew up between our baggage. The company had been barely five minutes near the baggage when suddenly and unexpectedly we were terribly fired at from the surrounding houses, from windows, attics, and particularly from the roofs. Beside me stood the servant of Colonel Schweder, Corporal Fehnes. He received a wound in the head and several in the arm, and was carried from the place seriously injured. I also saw four of our horses hit by shots from the windows. I saw that many shots were fired on us from the Hôtel de l'Industrie, the hotel where our officers were staying. Several soldiers of our company are said to have been grievously injured. I add, that the inhabitants fired too high. This was our good fortune, for, in the terrible fire directed upon us from all the houses in the station square most of the German officers and soldiers would have been killed or seriously wounded. At the command of Colonel Schweder the company was then led close to the station building. We stood close to the station for about a quarter of an hour, and then I saw that the houses at the station—except the Hôtel "Maria Theresa"—were blazing. The Hôtel "Maria Theresa" had not been set on fire because, as I heard only later on, the German military store of benzine was near it. But I saw clearly that several volleys had been fired from the windows and the roof of this hotel, which were aimed directly at the officers and men in front of the station. Besides my company, about 120 to 150 soldiers from a regiment just detained stood at the station. Only, now, since the volleys had been fired from the house "Hôtel Maria Theresa," we also fired at this house and set it alight. Not a single shot was fired either by our soldiers, standing near the baggage, or by my company, which returned about 8 o'clock from the north-west exit of Louvain, and which was partly standing between our baggage and partly lying down a little distance away. Only after we German officers and soldiers had been fired at from almost all the houses round the station did we receive orders to reply to the fire. I can swear to this.

The witness, after his statement had been read over to him, was admonished that his statement must be perfectly true, since he would have to swear to it. The witness declared :

I have only spoken what is quite true, and I can swear to it to the best of my knowledge.

Read over, approved, signed.

Signed : FRIEDRICH HÜLLERMEIER.

The witness was then sworn.

Signed : Dr. IVERS. Signed : RAMBEAU.

Court of the Government-General of Belgium.

Present :

President, STEMPEL.

Secretary, STEMPER.

MALINES, *November 19th, 1914.*

There appears on citation the witness mentioned below, who, after the object of the examination had been made known to him, was examined as follows :

As to Person : Friedrich Hüllermeier, aged 40 ; non-commissioned officer, 1st Company, 2nd Landsturm Battalion Neuss, at present in Malines.

As to Case : On the afternoon of August 25th the alarm was raised in Louvain because there was a battle in the neighbourhood. I had instructions to be ready at the station to march with our baggage-carts (the baggage of the Staff and our company). I saw nothing of a light signal or a green light near the station. But towards the evening my attention had been aroused by a very large number of young people in civilian clothes—compared to the number previously—who moved about in the streets, and also went into some of the houses. Towards the evening I also saw some figures glide past the windows of the surrounding houses, and I noticed curtains at the open windows being pulled together. Suddenly, after 8 o'clock p.m., we were fired at from all sides as if by word of command. Many of us were wounded ; some of us were seriously injured. My horse was shot in the head. We were ordered to lie down, and we fired upon the houses. Previous to this firing there was perfect quiet, and we were on the best terms with the inhabitants. Comrades, particularly such as had stood guard at the station, assured me in the most credible manner that on that evening, and prior to the sudden firing, they had seen light signals go up, especially red and green lights. I

declare on my oath that I saw myself how we were fired at from the surrounding houses, particularly from the windows and attic dormers ; I also clearly noticed many shots from the Hôtel de l'Industrie and whole volleys from the windows and the roof of the Hôtel " Maria Theresa."

I maintain my statement, made on September 17th, 1914, which has been read over to me.

Read over, approved, signed.

Signed : Non-commissioned Officer HÜLLER-
MEIER.

The witness affirmed the correctness of his statement with reference to his previous oath.

Proceedings closed.

Signed : STEMPER. Signed : STEMPER.

D. App. II.

Court of the Government-General at Brussels.

Present :

Dr. IVERS, Judge of Military Law.

Secretary, RAMBEAU.

LOUVAIN, *September 17th*, 1914.
Station Buildings.

Landsturm-soldier Wilhelm Krebbers, 1st Company, 2nd Mobile Landsturm Infantry Battalion Neuss, made the following statement :

As to Person : My name is Wilhelm Krebbers, born in Crefeld, October 10th, 1873 ; Catholic.

As to Case : I can testify with certainty that the German officers and we German soldiers only fired on the houses after the inhabitants had previously made a murderous attack upon us Germans by firing many shots and whole volleys from the windows and especially the roofs of all houses near the station.

I was baggage leader. After the firing was finished, my baggage-cart and horses had disappeared. It was not until about 12.30 at night that I met in the Rue de la Station two soldiers of a strange regiment with my cart and my horses. I got on the cart and drove to the station. When I passed the Hôtel " Maria Theresa " several volleys were fired from the windows and the roof upon my cart. The horses bolted and only stopped behind the station at a wall.

The statement was read over to the witness, and he was

admonished to speak only the truth, since he would have to swear to it. He then declared :

I have spoken the perfect truth, and can swear to it with a clear conscience.

Read over, approved, signed.

Signed : WILH. KREBBERS.

The witness was then sworn.

Signed : IVERS. Signed : RAMBEAU.

D. App. 12.

Court of the Government-General at Brussels.

Present :

Dr. IVERS, Judge of Military Law.

Secretary, RAMBEAU.

LOUVAIN, *September 17th, 1914.*
Station Buildings.

Sergeant-Major Schmiele, 1st Company, 2nd Mobile Landsturm Infantry Battalion Neuss, made the following statement :

As to Person : My name is Arnold Schmiele, born on May 5th, 1882, at Berlin ; Protestant.

As to Case : I am Sergeant-Major, 1st Company, 2nd Mobile Landsturm Infantry Battalion Neuss, and am under the immediate command of 1st Lieutenant v. Sandt.

When I had heard the first two or three shots of the inhabitants from the houses opposite the station—it was about 8 o'clock p.m., shortly after dark—I noticed coming in a south-westerly direction a swarm of small bluish balls of light that descended on us without making any noise and were then extinguished. I immediately drew the attention of the soldiers near me to this ; five to six soldiers had, so they told me, made the same observation as I had done. In my opinion, this rocket was to be the sign for the inhabitants to begin firing at once upon the German soldiers ; in any case, it is certain that immediately after the appearance of the rocket in the sky, the inhabitants fired from their houses. I saw that we German soldiers were fired on from two houses in the station square directly from the roof and from the attic windows.

I can swear according to the truth that in the station square where my company lay, the inhabitants were the first to fire on us from the houses, and that it was only then,

after the Belgians had commenced the firing, that we Germans fired on the houses in the station square.

Read over, approved, signed.

Signed : ARNOLD SCHMIELE.

The witness was then sworn.

Signed : Dr. IVERS. Signed : RAMBEAU.

D. App. 13.

Court of the Government-General at Brussels.

Present :

Dr. IVERS, Judge of Military Law.

Secretary, RAMBEAU.

LOUVAIN, *September 18th, 1914.*

Landsturm-soldier Küppers, Landsturm Battalion Neuss, made the following statement :

As to Person : My name is Hubert Küppers, born at Güchen, district of Grevenbroich, on April 11th, 1877 ; Catholic.

As to Case : I am a soldier of the 1st Company, Landsturm Infantry Battalion Neuss.

On August 25th I was, in the evening between 7 and 9 o'clock, sentinel in front of the main entrance to the station building at Louvain. At about 8 o'clock the leader of our company arrived with his company in the station square. One part of the company drew up between our baggage-carts in the station square, another part lay down on the ground a few paces from us. The company had only been in the station square for about five minutes when I saw a green rocket go up, going in the direction above the Hôtel "Maria Theresa" at the station square. I saw how the rocket became extinguished above the Monument in the station square and a number of bright, many-coloured little balls fell down, which all went out in the air before they touched the ground.

Hardly had the green rocket and the small balls become extinguished when, on the opposite side of the town, and also in the direction towards the station, a red rocket became visible. After a few minutes the red rocket also became extinguished, and immediately afterwards a number of luminous little balls, blue, red, and green, from the rocket fell down and were extinguished before touching the ground. Only a few seconds later a murderous fire was opened upon

the German soldiers from the windows and attics of nearly all the houses in the station square. I am certain that the two rockets were a sign to the Belgians for commencing the fire upon the German soldiers. At 9 o'clock I was relieved. I immediately reported to Non-commissioned Officer Grünewald, on duty in the guardroom, that at about 8 o'clock I had seen two rockets go up, one from the left of the town and the other from the right—the first, a green one, followed immediately by a red one, from both of which fell a quantity of luminous, many-coloured, small balls.

After the witness had been earnestly exhorted to speak the truth, he made the following statement :

I am ready to swear conscientiously to the incident of the two rockets just as I have described it.

Read over, approved, signed.

Signed : HUBERT KÜPPERS.

The witness was then sworn.

Signed : Dr. IVERS. Signed : RAMBEAU.

D. App. 14.

Court of the Government-General at Brussels.

Present :

Dr. IVERS, Judge of Military Law.

Secretary, RAMBEAU.

LOUVAIN, *September 18th, 1914.*

Non-commissioned Officer Engemann, Landsturm Battalion Neuss, made the following statement :

As to Person : My name is Hugo Engemann, born at Barmen on June 13th, 1876 ; Catholic.

As to Case : I am a non-commissioned officer of the 1st Company, Landsturm Battalion Neuss, and on August 25th I was on duty at signal-box 2. The guard is posted at some 800 metres' distance from the station at Louvain. I sat in front of the guard-house and noticed in the twilight, immediately after 8 o'clock, a red rocket in the sky. In my opinion it rose above the main railway station at Louvain. Immediately afterwards I heard loud firing from the town.

I can swear to my statement with a clear conscience.

Signed : HUGO ENGEMANN.

The witness was then sworn.

Signed : Dr. IVERS. Signed : RAMBEAU.

D. App. 15.

MALINES, *November 19th, 1914.*

Court of the General-Government of Belgium.

Present :

President, STEMPER.

Secretary, STEMPER.

On citation there appears the witness mentioned below, who, after the object of the examination has been made known, was examined as follows :

As to Person : My name is Frederic Messelke, aged 42 ; corporal, 2nd Landsturm Battalion Neuss, 1st Company, at present in Malines.

As to Case : On August 25th I marched with my company in close order through Louvain to the station there. In the preceding action the Belgians had been pressed back. On our return the town was quiet, nor did we hear any shots on our return march. The troops in Louvain did not mistake us for Belgian troops trying to enter the town. Above the station I saw suddenly, at about 8 o'clock p.m., a blaze of light as of a rocket. On the appearance of this light we were suddenly fired upon from every quarter. At the command of our Feldwebelleutnant we fired on the houses. The shooting continued for some time. I immediately told my comrades that the signal light mentioned above was evidently a rocket.

Read over, approved, signed.

Signed : FRITZ MESSELKE.

After the importance of the oath had been pointed out to him, the witness was duly sworn.

Signed : STEMPER. Signed : STEMPER.

D. App. 16.

MALINES, *November 19th, 1914*

Court of the General Belgian Government.

Present :

President, STEMPER.

Secretary, STEMPER.

There appears as witness Corporal Heinrich Weinen, and is examined as follows :

As to Person : My name is Heinrich Weinen, aged 38 ; corporal, 1st Company, 2nd Mobile Landsturm Battalion Neuss, at present in Malines.

As to Case : On August 25th I saw from the station square a light signal suddenly given. Upon this signal we were fired at on all sides from the windows of the surrounding houses. The rooms, from which the shots came, were dark. I did not see any figures at the windows ; I only saw the flash of the shots ; the flashes from the objects pointed from the windows, which I took to be revolvers, were reflected from the houses upon the street. The bullets struck the square close to us and burst about our heads too.

Read over, approved, signed.

Signed : HEINRICH WEINEN.

After the importance of the oath had been pointed out to him, the witness was duly sworn.

Signed : STEMPEL. Signed : STEMPER.

D. App. 17.

MALINES, *November 19th, 1914.*

Court of the General Belgian Government.

Present :

President, STEMPEL.

Secretary, STEMPER.

There appears on citation Musketeer Wilhelm Mainz as witness, and is examined as follows :

As to Person : My name is Wilhelm Mainz, aged 39 ; musketeer, 1st Company, 2nd Landsturm Battalion Neuss, at present in Malines.

As to Case : On August 25th, in the evening, I was on guard at the signal cabin, about 1000 metres from the railway station at Louvain. Once, on turning round—it was between 8 and 9 o'clock—I saw clearly two bright rockets rising near the station. After the ascent of these rockets, I heard all at once in the town, and more especially near the station, violent firing.

Read over, approved, signed.

Signed : WILHELM MAINZ.

After the importance of the oath had been pointed out to him, the witness was duly sworn.

Signed : STEMPEL. Signed : STEMPER.

D. App. 18.

LOUVAIN, *November 16th, 1914.*
STATIONSSTRASSE, 118.

Court of the General Belgian Government.

Present :

President, STEMPEL.

Secretary, STEMPER.

On citation there appears as witness Corporal Erwin Bastian, who is examined as follows :

As to Person : My name is Erwin Bastian, aged 28, at present engaged at the Commandant's office at Louvain.

As to Case : On August 22nd I came here with 1st Lieutenant Thelemann, and was billeted upon a wine merchant, W. Philipper, opposite the infantry barracks, with two more comrades. Up to August 25th the relations between the local inhabitants and the soldiers were throughout good, so that the men went partly without arms. On this evening we retired to rest about 8.30 ; half an hour later we heard isolated shots in the street. From what seemed to me the unusual sound of these shots, I believe I can say with certainty that the shots did not emanate from our weapons. We dressed ourselves at once. From the window of my quarters I noticed several horses, especially officers' horses, galloping through the streets riderless and coming from Tirlemont. I also saw baggage horses without riders galloping past, presumably from the baggage column, which was then stationed in the market square here. Later we went to the infantry barracks, and there reported ourselves. When the shooting increased, we made our way out under the command of a non-commissioned officer to the Tirlemont street, but soon returned again to barracks. Our section had not been firing. On the way I saw dead horses lying in the street. Riderless horses also galloped past us. In the barracks we occupied the windows. From there I saw the flashes of different shots ; according to the illumination they caused, they had been fired from the surrounding houses, perhaps at the height of the roof in the direction of the street. I heard the bullets from these shots fall in the street ; I had the impression that they came from small bore rifles. It was dark in the street ; there was no light ; the electric lighting, which on

the previous day was in order, had been destroyed during the night.

Read over, approved, signed.

Signed : ERWIN BASTIAN.

After the importance of the oath had been pointed out to the witness, he was duly sworn.

Signed : STEMPEL. Signed : STEMPER.

D. App. 19.

LOUVAIN, *December 16th*, 1914.
STATIONSSTRASSE, 118.

Court of the General Belgian Government.

Present :

President, STEMPEL.

Secretary, STEMPER.

There appears on citation as witness Musketeer Robert Dreher, and is examined as follows :

As to Person : My name is Robert Dreher, aged 23 ; musketeer, 11th Company, Infantry Regiment No. 48, at present engaged at the Commander's office at Louvain.

As to Case : I arrived here on August 20th, and have remained here since that date. I was in the infantry barracks here, suffering with bad feet. On the evening of August 25th, at about 9 o'clock, I heard shots in the street. I therefore marched with several men under the command of a non-commissioned officer. In the Rue de Tirlemont shots were fired upon us from right and left of the houses of this street, and, as I could clearly see in the illuminating flashes of the firing, by people dressed as civilians. The shots came from the windows and roofs ; the bullets struck the street. It was clear from the sound of the shots that they did not come from German weapons. We entered the houses from which the shots had come and brought out five to six civilians, all of whom still held revolvers in their hands. These persons were later on shot at the railway station. I did not notice any previous signal lights ; riderless horses galloped past us, as well as baggage-carts and horses, without drivers. On the morning of August 26th I saw on the railway-station square many civilians shot, more than 100, among whom were five clergymen, because they had shot upon German soldiers, or because arms had been found with them. On August 27th I was in the town

with a comrade. I was shot at, without being injured, from behind the hedges of a garden. It was in the afternoon; I was unable to see the person who had fired the shot. On civilians who had been shot we subsequently found distinguishing marks, from which I conclude that they were Belgian soldiers.

Read over, approved, signed.

Signed: Musketeer DREHER.

After the importance of the oath had been pointed out to the witness, he was duly sworn.

Signed: STEMPER. Signed: STEMPER.

D. App. 20.

LOUVAIN, *November 16th, 1914.*
STATIONSSTRASSE, 118.

Court of the General Belgian Government.

Present:

President, STEMPER.

Secretary, STEMPER.

On citation there appears as witness Corporal Willi Kröber, who is examined as follows:

As to Person: My name is Willi Kröber, aged 24; corporal, 8th Leib-Grenadier Regiment, at present in Louvain at the Commandant's office.

As to Case: I have been here since the 21st of August, in the infantry barracks, Rue de Tirlemont, with bad feet. On August 25th, at about 9 o'clock in the evening, we here heard shots which, according to the sound, came from revolvers, but not German ones. We had to form up in the court. A sergeant-major distributed cartridges among us, whereupon I marched off with about twenty men. In the Rue de Tirlemont we were vigorously fired at from houses to the right of the barracks and from houses near the military hospital, the shots being fired from small rifles. We entered a restaurant, from which shots had been fired on us, and we found that the owner had about 100 Browning cartridges. He was taken prisoner and shot. In the public square I saw in the above-mentioned night two dead baggage horses and several German soldiers lying dead in the street. By the light of the shots it could be clearly seen that we were being shot at from the houses of the Rue Tirlemont. We

also heard the bullets from these shots strike the street. On our return to barracks I still heard many shots in the distance. On August 26th I did not go out. On August 27th, in the afternoon about 5 o'clock, I went with five men under the command of a non-commissioned officer from the town hall to the market-place. In this square we were shot at with revolvers from the roofs of several houses ; the bullets fell near us.

Read over, approved, signed.

Signed : WILLI KRÖBER.

After the importance of the oath had been pointed out to the witness, he was duly sworn.

Signed : STEMPEL. Signed : STEMPER.

D. App. 21.

MALINES, *November 18th*, 1914.

Court of the General Belgian Government.

Present :

President, STEMPEL.

Secretary, STEMPER.

There appears on request as a witness Assistant Medical Officer Keuten, who declares :

As to Person : My name is Arnold Keuten, aged 25 ; Assistant Medical Officer of the 2nd Mobile Landsturm Battalion Neuss, at present in Malines.

As to Case : As far as I remember, I came to Louvain in the course of the afternoon of August 27th, and was there until the beginning of October, when the Landsturm Battalion marched off. In the course of the afternoon I heard shots in the Rue de la Station. I was then wearing the Red Cross armet. I had the impression that shots were being fired on us from a house in spite of my visible Red Cross armet. We moved towards the house. A German soldier of another battalion jumped out of the first floor of this house, and in doing so broke the upper part of the thigh. He related to me that he had just been pursued and shot at by six civilians in the house. Later I went to the station at Louvain. There two German soldiers, both wounded by small shot, were taken to the ward under my care. They had small shot in the upper part of the thigh and the abdominal muscles respectively. According to their state-

ment, civilians fired at them from houses when they were standing at the station between carriages.

From September 10th to September 12th I had the care of a concentration ward in Wygmael, about 5 kilometres from Louvain. From the 10th to the 12th of September there had been some engagements in the vicinity, especially at Rotzelar and Wackerzerl. It was reported to me that there were still on the battlefield about 300 Belgians. I went there twice to take care of the wounded Belgians, the first time with a cart and a few men wearing the Red Cross. In bringing out the severely wounded Belgians from a house, we were shot at from bushes two or three times, though it was still light. On the second occasion, too, when I went to the field with two motor ambulances and two transport cars for wounded, marked with the Red Cross and carrying flags with the Red Cross that were visible a long way off, shots were fired at us from bushes; the drive was merely undertaken in order to bring in Belgian wounded.

Read over, approved, signed.

Signed: A. KEUTEN.

The witness was duly sworn.

Signed: STEMPEL.

Signed: STEMPER.

D. App. 22.

MALINES, *November 19th, 1914.*

Court of the General Belgian Government.

Present:

President, STEMPEL.

Secretary, STEMPER.

There appears on citation as witness Non-commissioned Officer Joseph Fenes, who is examined as follows:

As to Person: My name is Joseph Fenes, aged 44; non-commissioned officer, 1st Company, 2nd Landsturm Battalion Neuss, at present in Malines.

As to Case: I arrived at Louvain on the evening of August 24th with my Landsturm Battalion. In the afternoon of the following day, at about 4 o'clock, I was ordered to saddle at once, ready for battle, the two horses of our commander, Lieutenant-Colonel Schweder. The hotel, at which my commander had put up, was situated at the right, looking from the station square, at a corner of the square.

When I arrived at the hotel with the two saddled horses my commander had already left in his automobile for the battlefield. I was instructed to wait with the two horses outside the hotel. From this point in front of the hotel I could well overlook the station square. I noticed that on the stroke of 8 o'clock (German time) a rocket went up suddenly from the station square, such as I have seen them at displays of fireworks. The rocket, giving a bright light, went up from the square to the right of the station from a bush near which there are to-day graves; I was about 50 metres away from it. I only saw one rocket go up. Before the rocket went up I had already noticed that between 6 and 7 in the evening a remarkable number of the civilians who passed me entered the hotel of my commander and went up the stairs.

Hardly had the above-mentioned rocket gone up when shots were fired from all the surrounding houses upon the German soldiers who were in the station square. The shots were fired from the houses by civilians, as I noticed distinctly—it was still fairly light. I also saw civilians running about on the roofs of the surrounding houses and firing down from the roofs. The first shot fell from a window of the top storey of the hotel of my commander, outside which I was waiting, and, as I distinctly noticed, was fired by a civilian. Immediately afterwards many more shots were fired from the windows of this hotel into the street. For safety's sake I at once mounted one of the horses. But immediately after I had mounted, it was shot in the leg (hind leg) from the window of my commander's hotel, so that it fell down with me. Just afterwards the other horse also was struck by a bullet from the hotel. It fell on me, so that I broke a rib and shoulder. As I was lying between the two horses, I received suddenly from above, from a window of the hotel, a shot on the crown of the head. (Witness shows the wound; the injury is to-day still clearly visible, and is situated on the upper part of the head, approximately in the centre, so that he must have received the shot from above.) I was carried to the hotel by a comrade and bandaged by a German military doctor who did not belong to our battalion. Later on I was moved to another house, and then laid down in a place amongst some bushes. From there I saw that brisk firing was still taking place from the surrounding houses. The persons firing the shots I could not recognise because of the darkness. I declare most positively that the German soldiers only fired after the civilians had

already begun the firing from the houses, after the rocket had gone up. After the rocket had ascended, wild and indiscriminate firing at once began from all the surrounding houses. A mad confusion ensued. Riderless horses and driverless baggage-carts tore past.

Read over, approved, signed.

Signed: JOSEPH FENES.

After the importance of the oath had been pointed out to the witness, he was duly sworn.

Signed: STEMPEL.

Signed: STEMPER.

D. App. 23.

MALINES, *November 19th, 1914.*

Court of the General Belgian Government.

Present:

President, STEMPEL.

Secretary, STEMPER.

There appears on citation as witness Medical Non-commissioned Officer Adam Meschede, who is examined as follows:

As to Person: My name is Adam Meschede, aged 42; medical non-commissioned officer, 1st Company, 2nd Land-sturm Battalion Neuss, at present in Malines.

As to Case: On the evening of August 25th, between 8 and 9 o'clock, I was in a ward at the railway station of Louvain. As trained medical non-commissioned officer I was bandaging the wounded there. Among the wounded two German soldiers of the 1st Company of our battalion were brought to me this evening; their names are Kloenters and Roessler. In both cases I ascertained, and I declare this on oath, that they had been injured by small shot in the head.

On this evening I had in all about forty to fifty German wounded brought to me.

Read over, approved, signed.

Signed: ADAM MESCHEDE.

After the importance of the oath had been pointed out to the witness, he was duly sworn.

Signed: STEMPEL.

Signed: STEMPER.

D. App. 24.

MALINES, *November 19th, 1914.*

Court of the General Belgian Government.

Present :

President, STEMPEL.

Secretary, STEMPER.

There appears on citation as witness Musketeer Franz Bongartz, who is examined as follows :

As to Person : My name is Franz Bongartz, aged 41 ; musketeer, 1st Company, 2nd Landsturm Battalion Neuss, at present in Malines.

As to Case : On the evening of August 25th we came back from an engagement near Bueken, and formed up at the station. Suddenly, as if by command, shots were fired upon us from all sides from the surrounding houses, as I clearly saw. Whole volleys were discharged at us. I saw how we were being shot at from a restaurant there. We brought out from this restaurant a few women and one man, who were taken to the town hall. On the way there we were shot at from the houses. On the following day, at about 8 o'clock in the morning, I was shot in the knee. A German sentry showed me his rifle which, as I convinced myself, was hit by small shot. I saw clearly that civilians fired from the houses ; the shot I received in the knee was fired from a cellar by a civilian.

Read over, approved, signed.

Signed : FRANZ BONGARTZ.

After the importance of the oath had been pointed out to the witness, he was duly sworn.

Signed : STEMPEL. Signed : STEMPER.

D. App. 25.

QUEDLINBURG, *November 22nd, 1914.*

Court of the Ersatzbataillon, 5th Hannoverian Infantry Regiment No. 165.

Present :

MOELLMANN, Lieutenant, as Officer of the Court.

BRINGERN, Sergeant-Major, as Military Clerk.

There appeared as witness Musketeer August Zander, 3rd Ersatz Company, 5th Hannoverian Infantry Regiment No. 165, shop assistant by calling, and after the importance of the oath had been pointed out to him, he was examined as follows :

As to Person : My name is August Zander, aged 21 ; Protestant ; born in Schönebeck a.E., now living in Quedlinburg infantry barracks.

As to Case : On August 21st I was brought to the field hospital at Louvain because I was hurt in the foot. The field hospital was situated in the barracks of the 11th Belgian Line Infantry Regiment, opposite the military hospital, and was recognisable by a Red Cross flag.

Food was conveyed to us regularly by young Belgians, who visited a school in Louvain to train as clerics, by a few Dominicans or Franciscans, who wore yellow coats, and also by a few civilians. The nursing attendants wore white armlets with the red cross.

On August 25th these people, who had given us our food, had from the afternoon onwards disappeared without a trace. The evening meal we received on this evening from a civilian ; it must in some way have been spoiled, for most who had eaten of it were attacked by violent diarrhoea.

In the evening, when most were already abed, it may have been 9 or 9.30, we heard suddenly violent firing. All who could jumped from their beds and endeavoured to get rifles to defend themselves.

The senior soldier present in the field hospital was a battalion drummer (sergeant-major) from Regiment No. 27, who was lying in bed severely wounded. He tried to quiet us by saying that we were under the protection of the Red Cross ; no one could hurt us. Those of us who had been able to get rifles crowded to the entrance of the field hospital in order to defend ourselves.

I saw quite clearly two or three persons sitting on the roof of a neighbouring house, who fired at our hospital.

Below at the door, where the guard stood, we heard violent firing. One could distinguish clearly between the pistol firing, carried out by the Belgians, and the rifle fire of our own troops. Meanwhile, one or other of our soldiers came to us and told us to rest quietly ; the attack undertaken by the inhabitants had failed. They only said that our sentinels were having a bad time, that they were covered with hot tar, and were suffering great pain.

Finally we went to bed again. We heard throughout the night single pistol shots, which could be clearly distinguished from our rifle shots.

Next morning, between 8 and 9, I had gone into the court. Two other soldiers were near. Suddenly about ten pistol shots were fired on us, which, as I saw clearly,

struck the ground quite close to me. The shots had evidently been fired from the opposite roof by pushing back the tiles. On the way to the station, which we took on the same morning, we were repeatedly told by our posts to take care, as more shots had been fired. At the Louvain station it was some hours before the field hospital train went off. During this time several pistol shots fell again at the end of our column, which were evidently intended for the hospital train; a comrade was immediately afterwards carried from the rear part of the column, where he had just been severely wounded in the legs, to the front of the train.

Read over, approved, signed.

Signed: AUGUST ZANDER.

The witness was then sworn.

Signed as above.

Signed: MOELLMANN. Signed: BRINGERN.

D. App. 26.

Report.

On August 26th, 1914, a motor-car, provided with a Red Cross flag and painted with the sign, stopped in the town hall square at Louvain.

The night affair in the streets was finished.

The square was being cleansed from blood, etc. From Mons had arrived a vehicle with wounded.

Of these Captain Count v. Reventlow, 12th Grenadier Regiment, was carried in the Voluntary Aid Society's automobile. It was 1 p.m., sunny, raining at times. Rifle fire upon this automobile was opened from the windows of the houses.

Signed: GEORG v. ZITZEWITZ, Capitänleutnant,
Delegate of the Voluntary Aid
Society.

D. App. 27.

FÜRSTENWALDE (SPREE), *November 25th*, 1914.

Present:

Lieutenant Prince ZU CAROLATH-BEUTHEN, as Court
Officer.

Sergeant-Major ALTENDORF, as Clerk.

There appears as witness Uhlán Friedrich Herzog,
1st Field Squadron, Uhlán Regiment (1st Brandenburg)
No. 3, who states:

As to Person : My name is Friedrich Herzog, aged 29 ; Protestant.

As to Case : I was in the hospital at Louvain. On the evening of August 25th, 1914, 9 o'clock, we heard shots directed upon our hospital. The shots came from a house opposite the hospital. They were fired by civilians, whom I saw myself.

On the next day I was taken from the hospital to the station at Louvain. On the way there I saw how shots were fired by civilians upon four nursing sisters who were carrying a wounded German soldier. The soldier, on this occasion, was hurt in the foot.

Read over, approved, signed.

Signed : FRIEDRICH HERZOG.

The witness was sworn.

Proceedings took place as above.

Signed : ZU CAROLATH-BEUTHEN, Lieutenant,
Officer of the Court.

Signed : ALTENDORF, Sergeant-Major, Clerk.

D. App. 28.

FRANKFURT A.O., *November 23rd, 1914.*

Court of the Reserve Battalion, Grenadier Regiment Prince Carl von Preussen (2nd Brandenburg) No. 12.

Present :

Lieutenant and Adjutant QUANDER, as Officer of the Court.

Acting-Sergeant-Major TROSCHER, as Secretary.

On citation there appears as witness Reservist Emil Getzke, 2nd Company, Grenadier Regiment No. 12, now with the 2nd Company of Reserve Grenadier Regiment No. 12, and after the importance of the oath has been pointed out, he is examined as follows :

As to Person : My name is as stated. I am 24 years old ; Protestant ; fireman by calling, living in Berlin, Winstrasse 58.

As to Case : From August 19th to 26th, 1914, I was in Louvain, wounded, where I was stationed with other wounded men in a school arranged as a hospital.

On August 25th, shortly after 9 p.m., we suddenly heard rifle fire coming from the street, which later on was augmented by machine-gun fire. As we could see nothing from the window owing to the geographical position of our

house, an Offizierstellvertreter, unknown to me, called the hospital guard, which was stationed in a building separated by the school-court, to inquire about the reason for the firing. The guard having replied to the query, the Offizierstellvertreter ran quickly over and returned in a few moments. He ordered all lights in the house to be extinguished, and no one was to fire. On the afternoon of the following day the hospital was cleared. All the wounded, I amongst them, were conveyed to the station in a furniture van. Immediately behind the van, sisters of the Red Cross carried a severely wounded soldier. When we had arrived at the station, and were about to leave the van, we were suddenly fired on by civilians who were passing. None of the wounded were hit, nor the sisters, but a few of the Landwehr men, who were accompanying the conveyance of the wounded. They, as well as the guard at the station, at once replied to the firing. A number of the assailants were hit by rifle shots.

Read over, approved, signed.

Signed: EMIL GETZKE.

The witness was then sworn.

Proceedings closed.

Signed: QUANDER, Officer of the Court.

Signed: TROSCHER, Secretary.

D. App. 29.

COLOGNE, *November 13th*, 1914.

Royal Government.

Present:

President GREEVEN, as Judge.

Referendary, Dr. WOLTER, as Secretary.

On citation there appears as witness the soldier Dada-czynski, 6th Company, Reserve Infantry Regiment No. 27, who states:

As to Person: My name is Stanislaus Anton Dada-czynski, aged 31; Catholic; gardener in Stassfurt, near Magdeburg, at present in the reserve battalion, Reserve Infantry Regiment No. 27.

As to Case: When my battalion was in a village before Louvain, the name of which I do not remember, I was taken by a non-commissioned officer to Louvain on account of lung-trouble, together with two other soldiers who were suffering with their feet.

On Tuesday, August 25th, 1914, about 9 p.m., we were lying in the barracks in which I was placed, in our rooms, on the straw. Each one had by his side his rifle, also loaded cartridges. Suddenly we heard shots directed upon our barracks from the hospital opposite. Shots also came from the houses near the hospital. I can say with certainty that shots were also fired from the hospital. We could hear distinctly that shots were being discharged not only from guns, but also from machine-guns.

When we heard the shooting we took our rifles and ran from the second or third storey, where we were stationed, downstairs. As the main entrance of the barracks was covered by machine-gun fire, we could not get out of the barracks. Some of us, who tried all the same, were wounded; one fell dead. When the shots ceased for a moment we ran, thirty to forty together, out of the barracks. We were shot at from all surrounding houses, from cellars and windows.

We now stormed all the houses from which shots had fallen; I with four others rushed into the first house to the left of the hospital. We brought out five inhabitants; from the other houses, close by, about twenty men were brought out. Those who were found with arms were immediately shot or bayoneted. Some twenty men, who were unarmed, we brought to the barracks. From all side-streets near the hospital came shots. We had to rush house after house. Wherever an armed inhabitant was discovered he was killed. The house in which he was found was set on fire. I myself, together with a comrade, bayoneted one inhabitant who went for me with a knife.

Shots were fired not only from the windows and cellar-openings, but from the upper storeys of houses tin boxes filled with hot tar were thrown on us. I saw myself how a box filled with tar was thrown upon the helmet of one of my comrades, so that the tar ran down his neck and shoulder. Another comrade had been hit by such a tar box on the arm, so that the tar ran down his sleeve. Happily for them, the tar was no longer so very hot as to cause worse burns.

During the storming of the houses we again made a number of prisoners, among them women and children; these were taken for safety's sake. We brought these prisoners also to the barracks, and had to guard them there.

Shots were heard until 2 a.m., and between 6 and 7 a.m. the firing commenced afresh.

At about 9 a.m. I saw a church burning near the town hall, also many houses in the neighbourhood. The shooting continued intermittently until Thursday, August 27th, when I received instructions to accompany the convoy of captured francs-tireurs, to which were added about four hundred English prisoners, from Louvain *via* Aachen to Cologne, where we were dismissed to the Ersatz Battalion, Reserve Infantry Regiment No. 27.

Read over, approved, signed.

Signed: STANISLAUS DADACZYNSKI.

After the importance of the oath had been urged upon the witness, he was duly sworn.

Proceedings closed.

Signed: GREEVEN. Signed: Dr. WOLTER.

D. App. 30.

AIX-LA-CHAPELLE, *November 14th, 1914.*

Garrison Command.

Present:

President of the Court, Captain SCHNEIDER.

Secretary, KLINKE.

On citation there appears as witness Herr Hubert Sittart, Member of the Imperial Diet, living in Aix-la-Chapelle, and on being questioned he declares the following:

On August 31st a number of women of Louvain told me there, with tears in their eyes, of the sorrow caused them by the bombardment of the town. They admitted emphatically that our troops had been fired at from the houses and cellars. One of them, the widow of a medical man, thought the firing had been done by the Garde Civique. But when she heard that wounded were lying at Aix-la-Chapelle who had been seriously wounded by small shot, she had to admit that civilians had also taken part in the firing. She also agreed with me when I declared that the Garde Civique, as well as the regular troops, deserved no forbearance if they fired from an ambush, from cellars and roofs instead of in open, honest fighting.

The vice-rector of Louvain University, Monsignore Coenraets, told me that he was ordered as hostage to read out to the people a proclamation to the effect that the hostages would be shot and fire opened on the town if the troops were treacherously fired at. He had hardly read

this out in one street when shots were actually fired upon the German soldiers accompanying him.

The importance of the oath having been pointed out to the witness, he was sworn according to regulations.

Signed : H. SITTART.

Signed : SCHNEIDER.

Signed : KLINKE.

D. App. 31.

LOUVAIN, *November 14th*, 1914.

Court of the Government-General of Belgium.

Present :

President, STEMPEL.

Secretary, STEMPEL.

On citation there appears the witness Albert Lemaire, aged 37, professor of medicine, chief physician of St. Peter's Hospital at Louvain, living in the Leopoldstrasse, and he declared :

In the afternoon of August 25th German Landwehr (I do not know the number of the regiment) was quartered on me. The Germans behaved quietly and decently. Later on they marched out in consequence of an alarm. Later on in the evening, whilst taking supper with my family, I heard violent firing in the street. We fled to the cellar. Between 11 and 12 o'clock (Belgian time) I went once from there into the garden. There I was several times fired at, but owing to the darkness I cannot tell by whom. Previously I heard a German call out, "Louvain is on fire." I could see from my garden various reflections of conflagrations. I did not see civilians fire from houses or in the streets. Nearly all the houses of doctors and professors in the Leopoldstrasse are burned down.

On the following day I had my family taken to the hospital by two German soldiers for safety's sake. On Thursday, August 27th, the bombardment and destruction of the town was announced. I went to the country with my family. On my return I found my house burned down.

Read over, approved, signed.

Signed : Professor Dr. ALBERT LEMAIRE.

After the importance of the oath had been pointed out, the witness was sworn according to regulations. The examination took place in the German language.

Signed : STEMPEL.

Signed : STEMPEL.

D. App. 32.

Proceedings at LOUVAIN, *November 20th, 1914.*

Court of the Government-General.

Present :

President, STEMPEL.

Secretary, STEMPER.

Legal Statement of Evidence.

In a side-street of the Rue de Tirlemont at Louvain, near the prison, the following was ascertained :

In this side-street there is on the left-hand side, coming from the Rue de Tirlemont, a long wall, about 4 metres high. Opposite this wall lies a continuous row of houses of several storeys. The wall shows numerous traces of gun-shots. According to the traces of these shots, which are still clearly visible, they have been fired without a doubt from the upper storeys of the houses opposite. The range of these shots on the wall extends, according to the traces there left, transversely from the top to the bottom.

Signed : STEMPEL. Signed : STEMPER.

D. App. 33.

DEPOSITION of Reservist Hermann Behnke, 11th Company, Reserve Infantry Regiment No. 86, received by Pastor Friedrichs in the reserve field hospital at Hagen, on September 21st, 1914.

On August 25th we arrived at Louvain station in a military transport train. We heard brisk firing, so that we assumed that a battle between our troops and the Belgian troops was taking place. However, when we arrived in the town, we saw that civilians were firing from the houses and from trees. We noticed that German troops were fighting a regular street battle with these civilians. We went to the assistance of our troops. The civilians were requested to leave the houses from which firing had taken place. These houses were then set on fire.

Proceedings at Hagen in the Office of the reserve field hospital, Hochstrasse 45, on November 28th, 1914, placed at the disposal of the Royal War Ministry, Military Examination Office for infringement of military law.

There appears Hermann Behnke, reservist, 11th Company, Reserve Infantry Regiment No. 86, and declares :

The above is my correct name. I was born on February 28th, 1887, at Neuhof in Mecklenburg-Schwerin; Protestant; married.

Admonished to speak the truth, I make the following statement :

I maintain as correct the deposition made on September 21st before the Protestant minister, Wilhelm Friedrichs. This deposition is true in every respect, and it has been read over to me.

Behake is then sworn.

Signed : HERMANN BEHNKE.

The correctness of the above is certified by :

Signed : Dr. JOTEL, Chief Regimental Surgeon.

Signed : WINAND ENGEL, Clergyman of the field hospital.

D. App. 34.

QUARTERS AT THIESCOURT, *November 29th, 1914.*

Present :

Leader of the proceedings, Lieutenant STEGMUELLER.
Secretary, SCHMIDT.

There appeared as witness Captain Josephson, who, after the importance of the oath had been pointed out, declared :

As to Person : My name is Walter Josephson, aged 46; Protestant; Leader of 2nd Battalion, Landwehr Infantry Regiment No. 53.

As to Case : On August 27th, 1914, the 3rd Battalion, Landwehr Infantry Regiment No. 53, marching from Rotzelaer to Louvain, had to conduct a transport of about 1000 civilian prisoners. At first, the 9th Company, under my leadership, and the 12th Company, Landwehr Infantry Regiment No. 53, under the leadership of Captain Ernst, carried out the supervision. When subsequently further transports of prisoners were added, the 1st Battalion of the Landwehr Infantry Regiment No. 53 assisted in the supervision. Amongst the prisoners were a number of Belgian clergymen, one of whom particularly attracted my attention because at every halt he went from one prisoner to the other and spoke to them excitedly, so that I had to put him under special supervision. At Louvain we delivered the prisoners at the station; another section of the troops, whom I cannot now name, undertook the watch over them. On the following morning I was told

by various people, amongst whom was also Captain Ernst, that the clergyman above mentioned had fired upon a guard, but had not hit him, and that he had therefore been shot on the square outside the station, probably by the order of the local commandant. Captain Ernst saw his body still lying there on the following day.

With regard to the conditions then prevailing at Louvain I am able further to state the following :

The 3rd Battalion, Landwehr Infantry Regiment No. 53, entered Louvain on August 25th, that is, on the day of the sudden attack, and remained at Louvain from August 27th to September 1st. My company was quartered on the Belgian rector of an intermediate school, a very quiet, sober-minded man, with whom I fully discussed the attack. He related to me that he had gone for a walk in the neighbourhood of Louvain on the day of the attack, and had visited an inn. The host told him that on that day a troop of about 100 young men, who conversed in different languages, had passed his house on the way to Louvain. They asked for drinks and lodgings for the night, but the whole thing appeared to him so suspicious that he removed the sign outside his inn, so as to have nothing to do with these people. He said to the rector literally, "If these people get to Louvain, there will be bad smells there to-morrow," by which he meant to say that then blood would flow. The rector also stated to me that in almost every house at Louvain a room for students is to be let. These rooms were tenantless at the time in question on account of the university holidays; friends and acquaintances of the students, or persons who posed as such, could quite easily get admission to these rooms; he assumed that these rooms had been occupied by the above-mentioned persons. It was, at any rate, a striking fact that when I rode at the head of my battalion, together with Captain Ernst and the adjutant, Lieutenant Stegmüller, in order to quarter myself at Louvain in the Rue des Joyeuses Entrées, there was a young man in almost every house, whereas the younger Belgian male population had been called up for war service; that, furthermore, the inhabitants absolutely urged us to quarter only officers in their houses, and that, finally, in all officers' quarters there was—so we were told—only in the outhouses room for the officers' servants, and never in the houses in which officers were quartered.

I had to supply the guard at the railway station from my company; opposite the station building lies a block of houses, and in front of it a street fenced off by boards from the station. From this plank-fence the watch was fired on daily in the dark. I had then all the houses cleared and the block of houses surrounded by guards. On the evening of this day I saw myself how, at dark, a troop of 50 to 60 civilians emerged from the wood which was about 600 to 800 metres away, but withdrew when the guard was noticed. From this date the firing upon the guard ceased.

Read over, approved, signed.

Signed: JOSEPHSON, Captain and Battalion Leader.

The witness was sworn in accordance with regulations.

Signed: STEGMUELLER. Signed: SCHMIDT.

D. App. 35.

Proceedings at RESERVE FIELD HOSPITAL
AT CLEVE, *October 9th, 1914.*

Royal Court of Justice.

Present :

Judge, FRITZEN.

Secretary, FRINGS.

There appears the under-mentioned witness, and, after having been acquainted with the object of the examination, he was examined as follows :

As to Person: My name is Adam Hoos, aged 32; Catholic; soldier, 2nd Company, Landwehr Regiment No. 55, at Wesel, at present in reserve field hospital at Cleve.

As to Case: On August 25th we entered Louvain and took part in the street-fighting. On the morning of August 26th, when searching the houses for wounded, we found in the cellar of a house a soldier of our regiment whose name I do not know, whose body had been cut open so that the entrails protruded. We did not ascertain whether the dead man was otherwise wounded. In my opinion, the cut could have only been effected with a sharp knife.

Read over, approved, signed.

Signed: ADAM HOOS.

The witness was sworn.

Signed: FRITZEN.

Signed: FRINGS.

D. App. 36.

LÜBECK, *March 8th*, 1915.

Court of Justice, Department 10.

Present :

Judge, DUBEL.

Secretary, GIESE.

At the request of the war minister appeared on citation the witnesses mentioned below, who were examined individually and in the absence of witnesses to be heard subsequently.

1. Student Oldenburg.

As to Person : My name is Hans Ludwig Oldenburg, aged 24 ; Protestant ; student of law ; at present non-commissioned officer, 3rd Reserve Company, Reserve Battalion No. 162.

As to Case : On August 25th, between 9 and 10 o'clock p.m., our regiment entered Louvain in marching order. The standard of the battalion was at the head of our company. It was already dark and, in marked contrast to the places through which we had passed the previous night, a surprising number of gas-lamps were alight. In the doors of the houses stood Belgians in civilian dress who behaved in a quiet and not unfriendly fashion. I saw no windows illuminated. Having marched into Louvain for about ten minutes, there was suddenly a halt. Two to three minutes later, but perhaps sooner, we were suddenly fired at from the houses of the right and left. I also saw the flashes of several shots from the houses near me. From one house I also saw bombs fall ; one fell about 10 metres away from me in the street and exploded there with great detonation. I do not know whether anyone was hit by it. I can point out accurately the house from which the bomb fell. It stood on the left side, near the second lamp, which stands behind the next cross-road, or the next yard-entrance, on the left.

When the bomb fell, no shots had as yet been fired by us. We now received orders, "About turn, march." But after we had turned we were ordered from the rear to shoot into the houses. We then fired into both fronts of the houses. I cannot say what reply was made to our fire because the noise and confusion was too great. It also became at once quite dark, because we demolished the lamps with our fire so as to offer no aim to the opponent. This firing may have lasted a full hour. During the firing

I saw a soldier near me fall. I was then run over and lost consciousness. When I recovered from my swoon, the firing was still continuing. I dragged myself to the nearest wall, and was then driven by an automobile to the field hospital.

Read over, approved, signed.

Signed : OLDENBURG.

The witness was sworn.

2. Corporal Hoehne.

As to Person : My name is Max Robert Theodor Hoehne, aged 28 ; Protestant ; art dealer ; at present corporal, 4th Reserve Company, Reserve Battalion No. 162.

As to Case : On the evening of August 25th, at about 9 o'clock, our regiment marched into Louvain in column of route. At the head marched the 1st Company. Then followed the 2nd, to which I belonged. It was already dark. The gas-lamps were alight. Outside in the suburb a few windows showed light. People in civilian dress put water in the street for us. But we did not drink of it because an officer warned us not to do so. The civilians behaved in a quiet and not unfriendly manner.

We marched over the railway bridge into the town straight on. At a point where there was a square occupied by automobiles, the road made a sharp bend. We marched past this bend straight on again. Up till then nothing happened, except that we saw no civilians at all in the town. The windows of the ground floors in this part of the street were closed by shutters. The windows of the upper floors were open. But this fact only struck me when we were fired at. Shortly after my company passed the bend of the road, a shot rang out, and this was immediately followed by brisk firing. I saw many such shots flash from the upper windows, and also noticed how sparks flew about as the bullets fell into the street. Immediately at the beginning of the firing two men behind me fell ; one of them was Corporal Wiessner. Wiessner sat down at the roadside ; the other soldier remained lying in the street, face down. We now dispersed on both sides and fired into the upper windows. During the firing I saw yet another soldier fall. In the meantime we had destroyed the lamps by our fire, so that nothing could be seen. I cannot say how long the firing continued. After some time the order was passed along to cease firing. When we were about to reassemble we were fired at from the windows of the ground floors. I was hit by small shot that had been fired directly through a window-pane on the ground floor ;

the shot remained in the haversack and coat. A comrade who turned towards the window fell at once owing to, so I assume, a shot in the head.

We now fired also into the ground-floor windows, removing in part the shutters. I, with a few others who had burst open the door, entered the house from which came the small shot. We could find no one in the house, but in the room from which the small shot had come, an overturned paraffin-lamp, still smouldering, was on the table.

When the firing ceased, the order to "rally" was sounded, and I only heard the call of our company. We rallied outside a restaurant at the corner of a street, and were suddenly fired at from a window near us, with revolvers, as I could tell by the sound. After having rallied, we wanted to return in close order, but were again fired at from the houses. The greater part of us continued the retreat. I and four others, however, turned about and marched on in the old direction. We joined some few other soldiers going in the same direction. On our way we saw more than half a dozen wounded soldiers lying in the street. Two men lay beneath and beside a shot horse. One of them pulled himself from beneath it. I pulled away the other from the horse, but left him lying because he was dead. In doing this I was kicked on the knee by the horse. Later on we joined the main body of our battalion near the station bridge in that road which one reaches when entering Louvain straight from the railway bridge. The troops were here drawn up and ordered to search the houses. Shortly before, a woman, with a child upon her arm and with two children beside her, passed right through the troops. No harm befell her. She was allowed to pass into the town unchecked.

Read over, approved, and signed.

Signed : MAX HOEHNE.

The witness was sworn.

Signed : DUBEL.

Signed : GIESE.

D. App. 37.

BREMEN, *January 10th, 1915.*

Present :

Officer of the Court, AHRENS.

Secretary, HEINHORST.

At the investigation regarding the events at Louvain the following witnesses appeared, and, after the importance

of the oath had been pointed out to them, made the following statement :

1. Officer's Deputy Walter Kruse, 3rd Company, Reserve Battalion, Reserve Infantry Regiment No. 75.

On the evening of August 25th, 1914, at about 9 o'clock, the 3rd Battalion, Reserve Infantry Regiment No. 75, entered by train the station at Louvain. At a distance of about 300 metres from the station building our train was suddenly fired at from both sides of the railway embankment. I heard the shots rattling against the carriages. The train stopped, and an order was given to leave the train. I made my men at once deploy along the track and reply to the firing. We were about three to four minutes under fire when I received some small shot in the right upper thigh. I then had myself bandaged, and was not a direct witness of the subsequent events. The firing, after scarcely ten minutes, suddenly ceased, whereupon the companies were rallied. In the dark one could only see the flashes of the shots. They came for the most part from above, so that one was obliged to assume that they had been fired from the windows, roofs, and trees. I did not see any individual persons who fired. About an hour and a half later I heard from the railway station, where I lay wounded, another burst of violent firing, which, however, ceased again at once.

Read over, approved, signed.

Signed : WALTER KRUSE.

The witness was sworn.

2. Sergeant-Major Ludwig Hilmer, 3rd Company, Reserve Infantry Regiment No. 215, at present at Bremen.

When the train with the 3rd Battalion, Reserve Infantry Regiment No. 75, entered the station at Louvain on the evening of August 25th, 1914, at about 9 o'clock, we were suddenly fired at from both sides, at a distance of about 300 to 400 metres from the station building. The window-panes in my compartment broke at once. We got out and replied to the firing. The enemy could not be seen, because it was already quite dark. We only saw the flashes of the shots, and assumed that they came from the houses at each side of the railway. Five men of my company were wounded in this fight. I ascertained that the wounds were partly caused by small shot. After about ten minutes the firing ceased, but was resumed again at once. Only when we had the lights on the station extinguished did the firing cease. The companies now rallied to the station, removed their packs, and were ordered to fire all the houses from

which firing had taken place, after searching them first. With this order we received strict injunctions not to hurt a hair of women and children. My company entered in groups the houses of the section allotted to it. Captain Brinckmann and I entered an inn diagonally opposite the station, and found there behind the bar a waiter with a ball-gun and ammunition. He was immediately taken to the railway commandant by some men. We then continued searching. Various civilians were led off by my men, and after a final decision of the commandant they were shot in the place before the station. In accordance with my orders, I helped to fire several houses, after having convinced myself in every case that no one was left in them. At about 12 o'clock p.m. this work was finished, and the company returned to the station building, in front of which lay about fifteen inhabitants, shot. Two clergymen also stood there who were to serve as hostages. I heard a patrol report that in a church inhabitants had been taken with guns and munition. Sleep was not to be thought of during the night, because the town was echoing with the explosion of bombs and munition stored in the burning houses. One might have believed oneself in a heavy artillery fire. On the morning of August 26th the company was again alarmed, because baggage was being fired at in the town. We advanced into a street about five minutes' distance from the station, and were here fired at from the houses, apparently with shot-guns. We entered the houses and took prisoner several civilians whose behaviour had been suspicious. The houses from which the firing had come were then set on fire. About noon the company returned to the station. At about 3 o'clock p.m. I stood with an acting-sergeant-major at the monument in front of the station, when we were suddenly exposed to a violent fire. Immediately afterwards five riderless horses galloped towards us, coming from the street in which the shots had been fired. As was ascertained subsequently, the horses were those of gendarmes whose riders had been shot in the town. Arrangements were now made and published in the whole town by the ringing of bells and the beating of drums that every company advancing into the town must be headed by a number of hostages. These were to be shot the moment there was any more firing from the houses. Among the hostages held at the station were clergymen and state officials. In spite of these measures, the inhabitants again fired on that evening and during the

night. The morning of August 27th passed without any special events for my company, because we urgently needed rest. It was only during the afternoon that we were again active. As peace could not be restored in the town by means of hostages, the order was issued to take all male inhabitants, aged seventeen to fifty. I carried out this order by the help of a strong platoon of eighty men after the order had been read out everywhere by a lieutenant. The people had to be fetched out of every house. After three hours' work I took 200 to 300 persons to the station. Every man on whom arms or munition was found was shot; these again numbered some fifteen to twenty persons. The others were notified that if shots were again fired during the night they would all be put in front of a machine-gun. This announcement was effective, for the next night passed perfectly quietly. On the following morning, hardly were the prisoners dismissed when the firing began afresh. My company, accompanied by hostages, advanced again into the town, and was again fired at. Again we had to fire some houses. On this occasion I saw with my own eyes how a civilian fired from a high window upon Captain Brinckmann. I heard the shot fall in the street. The Captain at once ordered the burning of the house. From here we advanced to a monastery on a hill. It was said that firing had taken place there, but we found neither arms nor munition. But immediately we again heard cries for help from the main road leading past the monastery; we hurried back, and had to assist an artillery column that had been fired at. We again set a few houses on fire, whereupon the command was given for all inhabitants to leave Louvain, as firing with artillery was to commence. This happened between 2 and 4 o'clock p.m. whilst our battalion was still at the station. I observed myself that the artillery projectiles only fell in those parts of the town in which attacks had been made.

Read over, approved, signed.

Signed: HILMER.

Hilmer was sworn.

3. Soldier Heinrich Westerkamp, company of wounded, Reserve Battalion, Reserve Infantry Regiment No. 75.

At noon, on August 25th, I had arrived at Louvain with the 2nd Battalion, Reserve Infantry Regiment No. 75. Whilst we were being provisioned from the field-kitchens in that part of the town which is near the suburb of Herent we were struck by the number of young strong people who

were in the street and putting their heads together. At Herent I was transferred to the baggage because of foot-trouble whilst my battalion marched on. I was about to draw water from a well when suddenly the baggage was being fired on from all sides. The baggage had already turned about, and as the horses could not be stopped we returned to Louvain at full speed. But there, too, all was not safe, as we heard from stragglers; we wanted to drive past the station into the nearest village in order to spend the night there. We got, however, only about 50 metres beyond the station, and had to halt there because a wheel had come off a cart. Hardly had the carts stopped on the perfectly dark road when we were violently fired at from the houses near us, as well as from those on the other side of the railway and from the bushes on the railway embankment. The man beside me on the cart immediately received a shot in the foot. We dismounted and tried to make ourselves safe. At that moment a civilian came running up towards me from a house, pointing a revolver at me. I immediately shot the person down. A hand-grenade exploded immediately after this, about 7 to 8 metres away from me, and smashed a horse. Three of us now sought cover in the recess of a house, from which we succeeded in reaching a goods-shed. At this time—about 9 p.m.—the 3rd Battalion arrived, which we joined. During the night the detonations never ceased, and the houses round the station were burning. From the Hôtel du Nord a machine-gun had even been fired, as could be distinctly heard from the regular shots. On the following morning I ascertained that five horses of the baggage transport had been killed. I remained in front of the station building until noon on August 26th, and I here saw that about forty persons were examined by an officer and about half of them were shot. Two clergymen were also brought forward, one of whom declared himself a German, and said that he had not fired. I heard subsequently, however, that a Browning pistol was found on him. I also saw a man of Regiment No. 162 or 163 carried past on a stretcher. He whimpered terribly, and I heard that whilst doing patrol duty in the town several inhabitants fell upon him and cut off the scrotum. Later on I heard that the man had died of his wound. A Belgian who addressed me in German declared that the whole misfortune could have been avoided if the clergy did not from the pulpit praise those who fire upon German troops. At noon on the same day we followed the

company with the baggage after having previously received fresh horses. We only found a heap of ruins where the village of Herent had stood. About three days later I met Lieutenant Foerster (now of the 4th Company, Reserve Infantry Regiment No. 75). He told me that German soldiers had had the genital members cut off and put into the mouth, and that the latter had then been sewn up.

Read over, approved, signed.

Signed : WESTERKAMP.

The witness was sworn according to regulations.

Signed : AHRENS, Lieutenant and Judicial Officer.

Signed : HEINHORST, Non-commissioned Officer.

D. App. 38.

ALTONA, *March 1st, 1915.*

Court of the Commandant.

Present :

President, Dr. STEENGRAFE.

Secretary, KOCH.

There appeared the merchant Gruner as witness, and, after the importance of the oath had been pointed out to him, he was examined as follows :

As to Person : My name is Richard Gruner, aged 23 ; Protestant ; merchant in Hamburg.

As to Case : After mobilisation I offered my services voluntarily and went into the field as a motor driver on the staff of the IX. Reserve Army Corps. On the evening of August 25th, 1914, we arrived at Louvain. As a sortie had been announced from Antwerp, the German troops were taken from Louvain and, as I assume, employed in the attack. The baggage, including the motors, stopped in the square in the immediate vicinity of the Hôtel Métropole. At the command of Captain von Esmarch, I followed the troops who were marching off and brought back one company for the protection of the staff, which was then drawn up in the place mentioned above. At about 9 o'clock p.m. I saw a green rocket ascend over the town. At the same moment commenced the firing upon us from the houses surrounding the place. I also heard the regular "tak, tak" of machine-guns. The German soldiers fired again and succeeded in beating down the hostile fire ; the houses from which firing had taken place were set alight. I had the impression that the proceedings had been systematically prepared.

Up till then we had been treated by the inhabitants with the greatest kindness and amiability.

After the attack in the centre of the town had been dealt with, the troops in the interior of the town were conducted to the station. Until then I had not seen any sign of interference on the part of the Belgian clergy. On the way to the station I saw a man in clerical garb, with unmistakable clerical physiognomy and a broad-brimmed hat with two tassels, directing our troops to a certain road. I myself drove along another road, following some cars before me. Subsequently I heard that the troops who had followed the directions of the clergyman reached a cul-de-sac, and were there exposed to fire from the houses.

When I arrived at the station I heard that here, too, an attack had been made upon the German soldiers by the civilian population from the surrounding houses, and had been defeated; in the station square and throughout the town houses were burning. All citizens taken were conducted to the station square, examined, and, if their guilt was ascertained, shot according to martial law. I myself acted as interpreter during part of the examinations. The examinations continued through the night until the following morning. The number of persons shot by court-martial may have been eighty to a hundred; among them may have been ten to fifteen clergymen. This number is exclusive of one man in unmistakable clerical garb, because beneath his clerical garb he wore civilian dress. Among the clergymen shot was the one I mentioned previously, and of this I am quite sure. He was pointed out by soldiers as the one who had directed them and their comrades into the cul-de-sac; he, too, was shot. I interpreted during the examination of two further clergymen. On one of them a revolver was found that still contained four cartridges, and one had been discharged; he, too, was shot. It had, moreover, been announced previously that every inhabitant on whom arms were found would be shot. I cannot now say what was furthermore ascertained in relation to this clergyman; but no one was shot whose participation in the attacks upon the German troops was not determined beyond doubt by at least two witnesses, or on whom arms were not found. Those brought up for examination must have rendered themselves suspect in some way, otherwise they would not have been examined at all.

During the night isolated attacks upon German troops took place, also during the day.

During the examinations many of the Belgians related that their behaviour towards the Germans had been represented to them by the authorities, also by the preachers, as a matter of faith. When we fetched the wounded in automobiles during the night we were fired at, and also from a convent.

Read over, approved, signed.

Signed : GRUNER.

The witness was duly sworn.

Authenticated :

Signed : STEENGRAFE, President.

Signed : KOCH.

BERLIN, *March 19th*, 1915.

Ministry of War.

Military Examination Bureau for Infringements of Martial Law.

Present :

President, DR. GRASSHOFF.

Secretary, PAHL.

There appears on citation merchant Richard Gruner of Hamburg-Grossborstel, Holunderweg 12.

The importance of the oath was pointed out to the witness, and he declared :

As to Person : My name is Richard Gruner, aged 23 ; Protestant.

As to Case : I repeat, first of all, all the statements made during my judicial examination at Altona on March 1st, 1915. This statement, which has just been read to me, is perfectly true in all respects. I add further what follows :

The examination of the volunteers brought forward by the German troops on the station square at Louvain on the night of August 25th to 26th, 1914, was conducted by Captain Albrecht, who was then reporting officer on the staff of the IX. Reserve Army Corps, and who fell later, at the end of October 1914, at Noyon. Captain Albrecht was attached to the Grand General Staff in peace time. I was requested by him to act as interpreter during part of the examinations. The examination proceeded in such a way that the soldiers brought forward the civilians taken by them, whilst the firing in the town continued. I was given about 100 to 200 persons to search and to examine. Captain Albrecht passed from one group of persons assembled in the station square for examination to another group, and

inquired the result in order to give instructions for the further treatment of the accused. Altogether about 600 persons may have been brought forward, at least 500 of whom were spared death by shooting because no sure proof of their guilt was brought forward during the examination. These persons were led aside; the men amongst them were later on sent to Germany, whilst it was left to the women and children to go to Anvers.

It is not true that the persons were arbitrarily selected when arrangements for shooting them were made; on the contrary, the examinations were carried out strictly according to the facts. I examined myself the persons brought forward for arms, and frequently found arms on them. I also had instructions to see whether the accused were Belgian soldiers, which could be seen from the identification disc. On many of the persons brought to me I found the military disc in the pocket or in the purse. Captain Albrecht proceeded—I assume on higher command—in such a way that he ordered those to be shot on whom either arms or a rallying sign was found, or those of whom it was testified by at least two witnesses that they had fired upon the German troops. In my opinion it is quite out of the question that any innocent person lost his life; particularly Captain Albrecht did under the circumstances all that was possible to exhort the soldiers to speak the truth; if no arms or identification discs were found, he himself questioned the witnesses as to whether they could make their assertions with certitude, and he pointed out to them that the life and death of a man depended upon their word. And only when the soldiers maintained their assertions after this admonition, the command for the shooting of the condemned was given.

Amongst the persons brought forward were a number of priests; of these about ten to fifteen in all were shot. I ascertained myself that one priest carried a loaded revolver which had been fired once, and the empty cartridge-case was still in the barrel. I furthermore recognised another priest as the one who, according to the testimony of the soldiers, had intentionally decoyed them into the fire of the francs-tireurs. These two were undoubtedly genuine clergymen. On a third man wearing clerical garb, and civilian clothes underneath, I found a military identification disc.

I was in the station square during the whole examinations, and I can therefore testify from my own knowledge

that no mock-execution of priests has taken place, and that not one of the involuntary spectators of these scenes was forced to applaud.

Among the persons brought forward there were many civilians who, when they became aware that I spoke French, called to me that they were innocent, and that the priests bore the whole guilt of what had taken place. They expressly pointed to the priests who had been brought forward. Amongst them was a Belgian civilian who, as a sign of his goodwill to the Germans, showed a document, according to which the King of Prussia had bestowed the Order of the Red Eagle upon him. I took the opportunity to remonstrate with this person that he, an educated man, and the other men of his station had not stopped the populace from making the attack; he replied, "It is quite impossible for us to prevail upon the people who are in the hands of the clergy."

I remained at Louvain until August 26th, 1914, 4 p.m. During August 26th I still heard and saw, now and again, firing from the houses; comrades of mine were wounded actually at my side; thus also the voluntary soldier Wuppermann. During the morning of August 26th I spoke in the station square, where there were many women prisoners, with two of them who evidently belonged to the educated classes. One of them, an American from St. Louis, addressed me in English and begged me to release her and another known lady from imprisonment, as they were innocent. She explained to me that the clergy were responsible for the events. She then called the other lady, a Belgian, with whom I also conversed in French. She also confirmed to me that the firing from the houses was due to the conduct of the clergy. She related the following: In the evening, Belgian soldiers dressed as civilians entered individual houses and forced the inhabitants by threats to receive them and to admit them to the windows in order to shoot from them; previous to that the clergy had gone into the houses and declared to the inhabitants that it was their duty to receive and support the Belgian soldiers because the German troops were making war upon the faith of the Belgians.

During the critical days, particularly violent firing on the German troops came from a convent outside Louvain, on the road from Louvain to Bueken. I have heard this repeatedly from soldiers, and on August 26th, 1914, in the afternoon, whilst going in my automobile to Bueken, I had

to pass the street near the convent under special protective measures. In order to be safe from any firing from the convent we had to take with us several civilians, who were placed partly upon the footboard of the car, partly upon the cooler.

I wish to emphasise that even during the examinations in the station square we were fired at from houses there. I particularly remember the incident when about ten to twelve young people in sporting-caps—which was frequently the distinguishing mark of disguised Belgian soldiers—were brought up quite close to the station building, and that I was fired upon from a building opposite on my way to see these persons, and that the prisoners ran away, and that we Germans fired after them.

Read over, approved, signed.

Signed : RICHARD GRUNER.

The witness was sworn.

Proceedings closed.

Signed : PAHL.

Signed : Dr. GRASSHOFF.

D. App. 39.

GUISCARD, *March 1st, 1915.*

Present :

Member of the Military High Court, RIESE.

Secretary, REISENER.

There appeared as a witness Non-commissioned Officer Muesfeldt, and, after the importance of the oath had been pointed out to him, he was examined as follows :

As to Person : My name is Willy Muesfeldt, aged 33 ; Protestant ; non-commissioned officer, IX. Reserve Corps.

As to Case : On August 25th I arrived with the first party of the General Command at Louvain. We unloaded and drove with the baggage to the market-place. Here we remained, as it was said that the English were near, and that we might have to go into action that day. In the evening, at about 9 o'clock, Captain von Fsmarch, leader of our baggage, arrived in the automobile and said that matters had turned out differently, and that we could march off to quarters. The Captain mounted the horse and gave the order "Mount." He had hardly said this when firing commenced from all sides. I fetched my rifle from the cart, took cover, and fired. Then I noticed that the Captain

lay on the ground, wounded; I brought him into safety beneath a cart, and continued firing. I cannot say exactly how long the firing continued. When it ceased, the order was given to search the houses from which the firing had taken place for francs-tireurs. I approached a house from which firing had taken place, battered the street door, and went down the cellar, from which shots had also been fired. I found there a man of about forty years of age, with dark pointed beard, who had a revolver in his hand. I immediately threw myself upon him, and in spite of his struggles I led him up the stairs, where I handed him over to gendarmes. I did not indeed see this man shoot, but I assume it with certainty, since I found him with the revolver in his hand; he struggled, and there was no one in the house except his wife. All this I related to Captain von Esmarch at Christmas when he was here on a visit to the General Command. There was a pharmacy in the house, which I mentioned above.

Read over, approved, signed.

Signed: Non-commissioned Officer MUESFELDT.

The witness was sworn.

Proceedings closed.

Signed: RIESE. Signed: REISENER.

D. App. 40.

ALTONA, *March 1st, 1915.*

Court of the Commandant.

Present:

President, Dr. STEENGRAFE.

Secretary, Sergeant MEYER.

There appears as witness engineer Weiss, who, after the importance of the oath has been pointed out to him, he declares as follows:

As to Person: My name is Robert Weiss; engineer, in Altona; aged 31; Christian; motor-driver.

As to Case: After mobilisation I offered my services as a volunteer, and went into the field as motor-driver on the staff of the IX. Reserve Army Corps.

On the afternoon of August 25th, 1914, we arrived at Louvain. The inhabitants behaved at first more than kindly towards us.

Towards the evening I had driven a wounded man to

the field hospital near the market-place. The field hospital was established in a monastery. About 9 o'clock I drove the car with Captain von Harnier in it from the monastery back to the market-place, when suddenly firing began on all sides from the houses. I stopped my car and remained unhurt; Captain von Harnier was wounded in the arm; he hurried to the market-place, and I sought cover beneath the car.

I may have remained there about half an hour when a platoon of German infantry came along the road. I called to the leader, and he had the surrounding houses, from which the shooting continued, covered by fire. I then took the car to safety in the yard of the monastery.

When, after a short time, I wished to leave, Captain von Esmarch was carried in, covered with blood. Whilst being carried to the field hospital, he was fired upon from the monastery. I went into the monastery with an infantryman; we found a revolver, but to save ourselves from being cut off we could not enter the vaults of the monastery into which the people had evidently retired.

The Belgian field hospital did not want to bandage Captain von Esmarch; I finally forced a Belgian surgeon, whom I caught by the arm, to apply the bandage.

Subsequently, on driving my car to the market-place, and from there to the station with the General Staff, I saw everywhere on the way burning houses; now and again isolated firing from the houses still took place.

At the station there were no burning houses, and strict orders had been given to set no houses on fire there. After half an hour the firing from the hotels opposite the station began. From that point right to the station there was firing with machine-guns; I could distinctly hear the regular "tak, tak."

It was only then that orders were given to raze the houses in front of the station; they were set on fire, but even from the burning houses, and finally from the ruins, the firing continued briskly. We suffered losses.

Later on, isolated shots were fired.

The citizens who had in any way taken part in the attack were brought to the station square, and, if found guilty, shot according to martial law.

The soldiers, who brought the citizens along, were exhorted—as I have myself heard—to bear witness carefully and conscientiously. The examinations were conducted by officers of the General Staff. Whoever carried loaded

arms, in spite of the prohibition issued and announced, was shot at once.

In the town lay several men in clerical garb, shot ; at the station, too, several men in clerical dress were shot ; all were examined, but I was not present at the examinations.

On the following day, too, isolated shots fell upon us from houses.

Read over, approved, signed.

Signed : WEISS.

The witness was sworn in accordance with the regulations.

Signed : Dr. STEENGRAFE, President.

Signed : MEYER.

D. App. 41.

Court of the Commander.

Present :

President, Dr. STEENGRAFE.

Secretary, MEYER.

ALTONA, *March 3rd*, 1915.

There appeared as witness merchant Dammann, who, after the importance of the oath had been pointed out to him, was examined as follows :

As to Person : My name is Carl Dammann, aged 31 ; Christian ; merchant in Hamburg ; soldier of the Reserve.

As to Case : After mobilisation I volunteered for duty as motor-driver, and as such I was assigned to the Staff of the IX. Reserve Army Corps.

On the evening of August 25th, 1914, we arrived in Louvain. At first the inhabitants were very obliging.

My motor-car was put in the market-place, a big square near which is the Hôtel Métropole. In the evening, towards 9 o'clock, we motor-drivers stood under the trees of the place and chatted together. Comrades told me they had seen a rocket go up.

Suddenly an awful firing commenced from the houses surrounding the place. The fire was first of all directed on the baggage-carts which were to be drawn up at the place. Each one of us sought cover, I on a baggage-cart, the horses of which had just been shot. My car showed later on a hole as large as a fist in the protective cover and in the body of the car ; to judge by the way the tin was bent, the shot must have come from below, from a cellar.

Whilst we sought cover, the firing continued, and some of us were wounded. In my opinion this was a well-prepared and planned attack of the civilian population.

After the firing had become less violent, we drivers went to the station. At the market-place and in its small side-streets the houses were burning. During our drive to the station, German patrols passed us everywhere. In the station square firing took place principally from the four large hotels there. The firing in the station square continued till the morning.

Those persons of the town who had participated in the attack upon the Germans were taken to the station square in the course of the evening and during the night. An officer then examined them; the soldiers who had brought up the people were examined. A number of men, nearly fifty, were shot in the station square after the examination was over.

As far as I remember, there were two persons in clerical garb amongst them; but there may have been more.

Read over, approved, signed.

Signed: CARL DAMMANN.

The witness was then sworn.

Signed: DR. STEENGRAFE, President.

Signed: MEYER.

D. App. 42.

Court of the Commander at Altona.

Present:

President, DR. STEENGRAFE.

Secretary, KAHL.

ALTONA, *December 28th, 1914.*

On citation there appears as witness Captain of Landwehr II. Hermansen, who, after the sanctity of the oath had been pointed out to him, makes the following statement:

As to Person: My name is Richard, aged 37; Protestant; Public Prosecutor at Düsseldorf; at present in the Reserve Battalion, Infantry Regiment No. 76, Hamburg.

As to Case: I arrived at Louvain on August 25th at about 9 o'clock p.m. after a railway journey of 55 hours.

At the moment of alighting a violent fire was opened upon the station and its vicinity from the houses lying round the station. I also heard a mechanical noise, which I took to be machine-gun fire.

We took part in the searching and the burning down of houses from which firing had taken place.

Some of the houses were furnished with regular loopholes, among them also houses which, as I saw on the following morning, had flown white flags.

On September 1st, at Lombeek, St. Catharinen, near Ternath, west of Brussels, I made the acquaintance of a priest, to whom I expressed my approval of the quiet bearing of the inhabitants of Lombeek towards our company.

He said, "Yes, for weeks I have been preaching this from the pulpit, and my flock listens to me. I have told them that if they wished to fight, they should go to Antwerp, put on uniform, and obtain a rifle. The enemy is only doing his duty; his soldiers are children of the same heavenly Father."

I replied that, if all his colleagues in office had acted thus, much that was disagreeable would have been avoided both for the Belgians and for us. He did not contradict me; we remained talking a little while longer, and when I took my leave of him, he blessed me.

Read over, approved, signed.

Signed : HERMANSEN.

The witness was then sworn according to regulations.

Signed : STEENGRAFÉ, President.

Signed : KAHL.

D. App. 43.

Present :

President, FELGNER.

Secretary, BECKER.

FLENSBURG, *January 8th*, 1915.

There appeared as witness Captain von Vethacke, who, after the importance of the oath had been pointed out to him, was examined as follows :

As to Person : My name is Möritz, aged 37 ; Protestant ; Captain, Reserve Battalion, Reserve Infantry Regiment No. 86.

As to Case : I have just read Captain Hermansen's statement of December 28th, 1914, and I confirm it with the following remarks :

I know for certain that among the corpses lying in the station square there were several dressed in clerical garb. The examinations in the station square in Louvain were carried out very carefully. Each company had its portion

of the town which it tried to clear of francs-tireurs. Persons found with a rifle in their hand were at once shot, but others who could not be at once convicted of the participation in the attack were led to the station building for a decision to be come to there regarding them. The witnesses accompanied them in order to give their testimony in the station square. Whatever priests were shot, were found guilty before the Court. I also made the acquaintance of the priest mentioned by Captain Hermansen at the end of his statement ; he made an excellent impression on me also ; he did not contradict me when I expressed my view that priests had stirred up the people and had taken part in the attacks. From my conversation with this priest I gained the impression that he did not approve of the behaviour of his colleagues in office.

Read over, approved, signed.

Signed : VON VETHACKE.

The witness was sworn according to regulations.

Proceedings closed.

Signed : FELGNER. Signed : BECKER.

D. App. 44.

Court of the Bavarian Landsturm Infantry Battalion
Gunzenhausen.

Present :

President, Captain HAHN.

Secretary, WALZ.

VIETSALEN, *February 4th, 1915.*

On citation there appeared as witness Herr Karl Dörffer, born on December 25th, 1877, at Erda, district of Wetzlar ; Protestant ; 1st Lieutenant, Reserve of Prussian Railway Regiment No. 3, assigned to the Railway Constructing Company No. 17, at present commanded by the Bavarian Staff Officer of railway troops in Vietsalen.

The witness, to whom the importance of the oath was pointed out, was examined as follows :

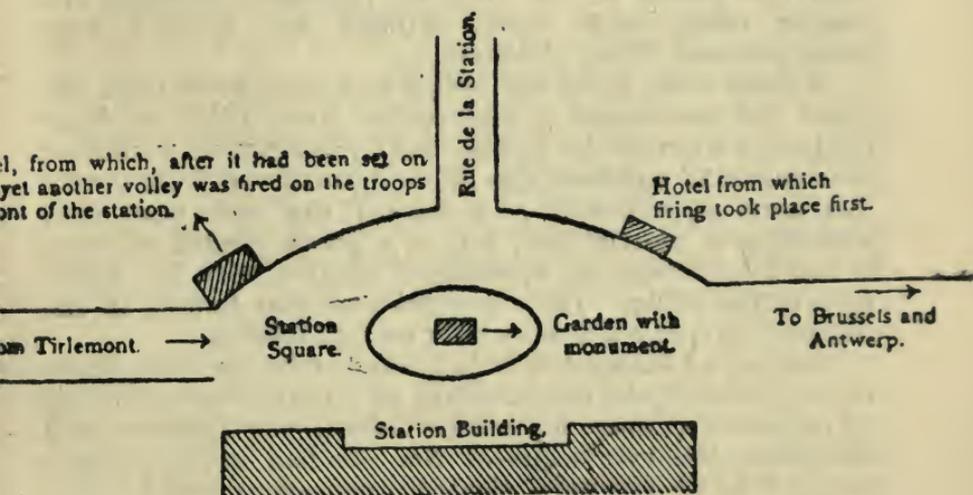
As to Person : My personal description is correctly stated.

As to Case : On August 24th, 1914, I was commanded to effect the detraining at the station in Louvain. I was acting manager in the station as well as commandant over the station. On August 25th detraining took place almost continuously ; I particularly mention the detraining of the IX. Reserve Corps and the General Staff of this corps.

On the evening of August 25th, at nightfall, shots fell suddenly in front of and on both sides of the station area; in this area were detachment of troops and trains. At first I did not attach much importance to the firing; but as it became more violent I went to the front of the station building.

I now saw that violent firing was taking place, particularly from an hotel to the right of the station. From the long flash of fire from the individual shots I assumed that military rifles were not being used. I know for certain that firing took place from the upper floors of this hotel, but the windows from which firing took place were dark.

The following design will indicate the position of the hotel more clearly:



To judge by the violence of the firing I must assume that firing from other houses also took place.

Through officers of the Mecklenburg Dragoons belonging to the General Commando of the IX. Reserve Army Corps—if I remember right, through Captain von Alten and another officer—the news was received at the station that even the transport of the Army Corps had been fired on in the town. A high officer gave the command to search the hotel mentioned and other houses, and then to set them on fire. A number of persons, partly middle aged, partly older people, were taken out of these houses, and a great number of them—but only males—were immediately shot according to martial law. It was then quiet in the station

square for a long time. I would point out that I could not stand in the station square continuously, because I had business to transact in the station itself. It was therefore impossible for me to watch all the events in front of the station. At about 11 or 11.30 p.m.—most of the houses in the station square were burning—a volley was fired on us from the roof of an hotel on the left of the station; the hotel was already burning at the bottom. I stood, as it happened, in the centre of the station square with several officers; there remained nothing for us but to throw ourselves upon the ground so as to offer the smallest possible target. Orders were then given to search this house once again; in spite of this, a few isolated shots were fired during the night from the houses in the station square, especially from the houses on the road to Tirlemont, opposite the loading ramp, upon which artillery and vehicles were unloaded even during the night.

I know that, after the volley had been fired from the house last mentioned, a high officer gave orders to clear the people from all the houses round the station; a number of women and children, also old and middle-aged men, were thereupon apprehended; a few of the men were shot according to martial law, but in a great number of cases it could not longer be ascertained whether they had taken part in the firing. These persons were first housed in the station; part of them were later on transported.

On August 26th a few isolated shots fell near the station. On my request, the commandant of a battalion—according to my notes it must have been Colonel von Treskow, 2nd Battalion, Reserve Regiment No. 76—had various houses on the road to Tirlemont cleared; this officer told me that in doing so he lost one of his reserve officers. I cannot say whether there were persons of the Garde Civique among the Belgians who fired on us.

As to the persons shot—I speak, of course, only of my own observations—it had been ascertained by witnesses that they were guilty.

Read over, approved, signed.

Signed: KARL DÖRFFER, 1st Lieutenant of the Reserve.

The witness was then sworn.

Signed: HAHN, Captain and Officer of the Court.

Signed: FRIEDRICH WALZ, Secretary.

D. App. 45.

Court of the Mobile Commissary Commando, I, VII. Army Corps.

Present :

President, ELBLE.

Secretary, CASSER.

PÉRONNE, *December 29th, 1914.*

There appears on citation as witness Paymaster Otto Rudolph, Reserve Railway Constructing Company No. II, at present at Péronne, who, after the importance of the oath had been pointed out to him, was examined as follows :

As to Person : My name is Otto Rudolph, aged 34 ; Protestant ; police officer at Worms.

As to Case : The Reserve Railway Constructing Company No. II, of whom I am paymaster, marched into Louvain on August 24th, 1914. My Commandant instructed me to arrange for quarters for the officers and the horses of the company near the principal railway station. I first applied to the proprietors of the hotels in the station square, especially to the proprietor of the Hôtel "Maria Theresa." Everywhere I was received in the kindest way. As the rooms of the hotel were, however, already engaged by officers of other units of troops, I could not get the necessary rooms. I therefore tried to find quarters in the main road leading from the town hall direct to the station, but the name of which I have forgotten. Here the necessary rooms were put at my disposal in the kindest way. In the house No. 105 of this street I found quarters for three officers. In the house diagonally opposite, the apartments of a bank official, I was also well received.

The quarters were not occupied on this day, because the company was trench-digging at the station during the whole night.

On the following day I had requisitioned vegetables, straw, etc., at Linden and Kessel-Loo, the latter a suburb of Louvain. The various farmers fulfilled my requirements in the kindest way. In the evening I returned from the requisitioning. On the way, in the suburb Kessel-Loo, male civilians, who had assembled in imposing numbers, intimated to me that the English had succeeded in breaking through near Louvain. On inquiring for the messenger who had brought this news I heard that priests had related it. I also remember actually to have seen three priests

at the eastern exit of the village at about 7 o'clock p.m. They went through the streets singly, and here and there made communications to the people. As I heard the firing of cannon at no very great distance, I hurried to reach the main station at Louvain. I arrived there at about 8 o'clock p.m. At about 9 o'clock I suddenly saw, near the station, a rocket go up. At the same moment I heard violent gun-fire. In order to inform myself regarding the firing, and to have a better view, I went to a "G"-car of the company transport, which was about 30 metres distant from the station square. From the open peep-hole of the "G"-car I obtained a good outlook over the station square and towards the road that connects Louvain with Kessel-Loo. I saw quite clearly firing upon the railway train from the roof of the third house of the street opposite to the train entering Louvain. I also remarked firing towards the station square from a window on the third floor of an hotel. From a window of the Hôtel "Maria Theresa" firing upon the station square took place. During the firing, the station square and the adjacent streets, which I was able to overlook, were filled with our troops. The firing could only be intended for our troops. Our men replied to the firing. I myself fired at a window of the second floor of the fifth house of the road that is parallel to the train, from which a civilian, whom I could clearly see, was firing.

After our side had received the signal to stop firing, I went to the station square; this may have been at about 10.30. A General there had instructed the field-gendarmes to search the houses from which firing had taken place for arms and ammunition. On my report of what I had seen, a search was also made in the third and fifth houses of the street parallel to the train. In both houses suspected persons with guns and suitable ammunition were found. One of these persons who was examined at the station had cartridges which fitted the guns in his pocket.

At about 12 o'clock p.m. several civilians, among them about six or seven priests, were shot in the station square. Suddenly a window was opened on the second floor of the Hôtel "Maria Theresa," where I had received information in such a trustworthy manner during my search for quarters on the previous day. I saw a male person who repeatedly fired upon the troops assembled in the station square. Firing also took place from houses whose inhabitants had wished to signify their friendliness by flying white flags.

On the following day, August 26th, at about 12 o'clock, I again went to the station square. A large number of male and female inhabitants of Louvain were there. Among the male inhabitants who were held as hostages I recognised the bank official who was the proprietor of the house in the Rue de la Station in Louvain. I entered into conversation with him; he told me that the Belgian Garde Civique had fired from his house, as well as from house No. 105 in which I had intended to engage quarters. When asked why he had permitted it, he told me that on August 25th, 1914, at about 3 o'clock in the afternoon, members of the Belgian Garde Civique had appeared and had forcibly seized the houses under threat of death; he said that the citizens of Louvain did not wish this treacherous firing, but had been forced by the Garde Civique to put up with the firing from the houses.

At about 2 o'clock p.m., when a few of the houses in the main street of Kessel-Loo, opposite the main railway station, had been set on fire, firing took place from the other houses of this street whose inhabitants had on the previous day conversed with me apparently in the kindest way.

In my opinion, supported by the foregoing personal observations, this treacherous firing was organised according to plan.

Read over, approved, signed.

Signed: RUDOLPH.

The witness was then sworn.

Signed: ELBLE, President.

Signed: CASSER, Secretary.

D. App. 46.

War Ministry.

Military Examination Office for Infringements of Laws of War.

BERLIN, *February 12th, 1915.*

Before the President at the War Ministry in Berlin, Dr. Grasshoff and the Secretary Pahl, there appears to-day, without citation, Captain Karl Friedrich von Esmarch (permanently living at his country seat, Schönheim, Post Rinkenens, district of Apenrade, at present wounded in Berlin, Club Hospital, Wilhelmstrasse 30, landowner).

The witness requests to be heard as such with regard

to his observation of the events at Louvain on August 25th, 1914.

The importance of the oath was pointed out to him, and he makes the following statement :

As to Person : My name is Karl Friedrich von Esmarch, aged 40 ; Protestant.

As to Case : On August 25th, 1914, I arrived at Louvain as Commandant of the Headquarters of the Corps, IX. Reserve Army Corps. We arrived in Louvain by train about 6 o'clock p.m. We detrained the horses and the 1st Division. We were to march to a Belgian hussar barrack, take in provisions, and move into quarters. On the way from the station to the barracks the adjutant brought me the order to turn back because the alarm was being raised as our troops were fighting about 10 km. outside the town. The horses and 1st Division were therefore to go to the Place du Peuple in Louvain, taking in provisions there, and the riding horses were to follow on a new order. We rode to the place designated, and drew up there. In the square stood a train column. The square was therefore rather fully occupied on all four sides with vehicles and horses. Gradually it became dark. Infantry regiments marched past us ; on the south-west side of the square they went in the direction of the town hall. As I had only a few Staff guards to escort the hand-carts, I asked a passing infantry regiment for a company as reinforcement. I had become uneasy as to our safety for the following reason : At first the streets were full, very full of inhabitants ; towards the evening all movement of the inhabitants suddenly stopped ; the streets gave me the impression of being deserted ; I also noticed that generally the roller shutters in the houses were down. I obtained the company and drew it up on the north-west side of the square ; I then rode to the opposite (south-east) side of the square, where the forage master stood, in order to urge him to hasten matters.

I had hardly arrived there when I heard a clock strike. I did not count the strokes, there may have been eight or nine. It was already perfectly dark. At the same moment I saw a green rocket go up above the houses south-west of the place. Shortly afterwards the sound of gun-fire came from the direction south-west of the place. This first gun-fire was followed by general firing from all the houses round the square itself ; the firing was directed upon the German troops in the square. The shots came from the

closed shutters ; one could clearly see their flashes ; holes must therefore have been bored previously in the shutters. I now wanted to gallop to the company to make arrangements, and as I could not ride through the whole park of vehicles I had to ride round them, *i.e.* round the north-eastern part of the square. In doing so I was shot from my horse on the north-eastern side of the square. I heard distinctly the rattling of machine-guns, and the bullets flew in great quantities all round me. I was severely hit by five bullets ; I also received a large number of grazing shots ; my whole coat was in rags. When I had fallen from the horse I was run over by a baggage-cart, the horses of which bolted on account of the firing ; I was dragged to the corner of the square which separates the north-east side from the north-west side. Here I remained lying under the cart for about half an hour. During this time I never lost consciousness and I accurately observed my surroundings. The bullets continually rebounded on the pavement all round me ; I noticed clearly the cracking off of numerous splinters. I also heard repeatedly the explosion of apparently heavy projectiles all round me ; I thought artillery was firing ; but as there was none present there is only one explanation, that the inhabitants were throwing hand-grenades on us from the houses in the square. The firing was not answered to by our troops until some time had elapsed. The firing on both sides continued for about half an hour, during which time I lay under the cart ; the chain of the brake-shoe had caught my belt so that I could not get free by myself. When the shooting ceased somewhat, my servant came and released me from my position. He brought me to the place where my company was drawn up on the north-west side of the square and laid me on the edge of the square, leaning my back against the wheel of a cart. From this position I could observe all the houses on the north-west side of the square and also the first houses on both sides contiguous to the square. I noticed the following :

The company continued firing into the houses. The firing of the inhabitants gradually ceased. The German soldiers then beat open the doors of the houses and set them on fire by throwing burning paraffin lamps into the houses or by knocking off the gas cocks, igniting the escaping gas and throwing tablecloths and curtains into the flames ; now and again benzine was used as an incendiary means. Colonel von Stubenrauch gave the order to set the houses on fire, and I heard his voice. As soon as the smoke in

the houses became stronger, the francs-tireurs came out of their houses down the stairs. In many cases they still held their arms in their hands ; I saw clearly muskets, revolvers, military rifles, and other firearms. I was particularly struck by the great number of revolvers. The francs-tireurs were to a man evil-looking figures such as I have never in my life seen before ; they were shot by the German sentries standing below. Our men took great care to spare women and children, who were allowed to leave the burning houses without interference. I have not seen a single case in which a woman or child were hurt. Some of the women and children even assembled in the square round us and were very well treated by the German soldiers. Near me stood a woman with a perambulator containing a small child. The soldiers standing round were consoling the weeping woman.

I watched the scenes of burning the houses and taking the francs-tireurs perhaps for half an hour. My servant then brought up a motor-car. Together with other wounded I was driven to a hospital, which we only reached after driving to and fro for some time. It was a Belgian military hospital ; I took it to be a monastery at the time, because there were many monks there. I was handed over about 12 o'clock, midnight, August 25th, 1914. On the very next day, August 26th, 1914, I was again fetched in an automobile and taken to Louvain station to be transported to Liège.

Read over, approved, signed.

Signed : KARL FRIEDRICH VON ESMARCH.

The witness was sworn.

Proceedings took place as above.

Signed : GRASSHOFF. Signed : PAHL.

D. App. 47.

Present :

President, DR. VAN GEMBER.

Secretary, LEMPFRID.

WESEL, *January 8th, 1915.*

There appeared as a witness Musketeer Schmidt, who, after the importance of the oath had been pointed out to him, was examined as follows :

As to Person : My name is Alfred Schmidt, aged 32 ; Protestant ; butcher ; musketeer, 9th Company, Landwehr Infantry Regiment No. 53.

As to Case : With regard to participation of civilians in the battle I know the following : I was attached to the Staff of the 2nd Battalion, Landwehr Regiment No. 53, as a butcher. On August 25th we had arrived at Louvain in the afternoon about 5 o'clock. At first we could not go to our quarters. In the evening at 9 o'clock I was near the baggage. A lieutenant, who was leader of the baggage, called us together and explained to us that we were to keep our eyes open, because things did not seem quite safe. We had hardly returned to our baggage, which stood in a somewhat narrow turning in the market, when I heard a loud shot. This was evidently not a rifle-shot, but rather a shot from a small gun, and evidently a signal ; for its sound had hardly died away when we were fired on from all sides from the houses. The shots came from the cellars and from all floors ; it was real rapid fire. The horses having shied and the carts having become interlocked, as I stood between two carts, I could not at first get out. After about five minutes I got free, looked about for my comrades, and could see none. I therefore ran to the market, but was fired at there too, also in two side-streets into which I wished to turn. At a third street I finally succeeded in finding cover inside a new building. After a time a few comrades assembled there. We then determined to advance together towards the gun-fire which we heard in the distance. Coming through a street in which firing went on continually, I stepped on an iron grate with which cellar holes are covered in Louvain ; I fell through, fell on my arm, and broke my wrist. Immediately behind me two other comrades fell into the cellar. We had hardly fallen on the floor when we were fired at from the interior of the cellar. After some time a sergeant-major of artillery came who had evidently seen us fall down, and he asked from the road whether we were Germans. I then stepped up to the cellar opening, and was pulled up by him by my uninjured hand. The other two could not rise. I told this to the sergeant-major, who then said that help was coming immediately. I was taken to a barrack and bandaged. I cannot say from own knowledge what happened to my comrades who had fallen in with me. On the following day, however, I was told at our quarters that they had been severely wounded.

On August 26th, at about 1 o'clock in the afternoon, we were to be sent off by rail. The signal for starting had already been given when the train was heavily fired at from the houses near the station. One could hear the rattling

of the bullets. Everybody who could do so had to load. Not till half an hour later were we able to proceed, the firing lasted so long. The train was only a hospital train, and was marked as such with the red cross.

Read over, approved, signed.

Signed : SCHMIDT.

The witness was sworn.

Signed : DR. VAN GEMBER.

Signed : LEMPFRID.

D. App. 48.

Present :

President, Dr. CZARNIKOW.

Secretary, THIELE.

ALLEMANT IN FRANCE, *December 18th, 1914.*

There appeared as witness Lieutenant Brandt of the Reserve, Infantry Regiment von Alvensleben (6th Brandenburg) No. 52, who, after the importance of the oath had been pointed out to him, was examined as follows :

As to Person : My name is Kurt Brandt, aged 32 ; Protestant ; book-keeper in the printing works of J. Schmidt at Markneukirchen, Saxony.

As to Case : I can only repeat the statements which I made in my report to my regiment on September 27th.

The report was then read to the witness, and he then declared the following : The report is the one just mentioned by me. I repeat its contents. The letter of the Belgian Government mentioned therein and the list of members of the Garde Civique found, I handed to the regiment on the following day. Lieutenant Dunkel of the Reserve will confirm the correctness of my statements ; he was then also at Louvain, and led a train of the Army Telegraph Section I.

During the firing, field gendarmes handed over to me about five civilians who bore no badge or uniform. The gendarmes reported that they had taken the persons with arms in their hands, and they also produced the arms. I did not examine the prisoners, but had them taken to the Commandant.

The owner of the hotel mentioned by me, who appeared in the morning from within the hotel when it was already quite burned down, was handed over by me to the General Staff Officer of the IX. Reserve Army Corps, a captain, whose name I do not know. It was the same officer who had given me instructions to destroy the two hotels. The

civilian was examined by the officer and shot about half an hour later. At about the same time two priests were shot ; when I saw them, they had already been apprehended. On inquiry, an orderly officer of the Commander General told me that they had distributed ammunition among the civilians.

Major Hildebrand, mentioned in my report, had expressly pointed out that he and his people had been fired on particularly from the houses opposite the station.

Read over, approved, signed.

Signed : KURT BRANDT.

The witness was sworn.

Proceedings closed.

Signed : CZARNIKOW. Signed : THIELE.

Sender : BRANDT (KURT), Lieutenant of Reserve.

Place of dispatch : Wood near Fort Condé.

Date : 27.9, 4 p.m.

Report.

To Infantry Regiment No. 52.

On the 24th ult. I arrived as protection to our Army Telegraph Section with a platoon of the 11th Company, Infantry Regiment No. 52, at Louvain, and took up our quarters in the Court of Justice ; we were exceptionally well received by the inhabitants. On the following day troop trains arrived continually with troops of the IX. Reserve Army Corps who marched off in the direction of Antwerp, because a sortie was reported from that city. Only one company and my platoon remained behind with the baggage. This and the thunder of the cannon which could be heard in the town seemed to furnish an opportune moment for the inhabitants to carry out the attack upon our troops which they had no doubt planned and prepared. At about 9 o'clock there commenced a violent firing upon our soldiers from the houses, especially directed upon the newly arriving trains. Major Hildebrand, leader of a not yet detrained battalion, Reserve Infantry Regiment No. 31, an old regimental comrade of mine, also suffered from this fire.

The fire was opened in the whole town in so surprising and uniform a fashion that preparations for it must surely have been made. In my opinion, the Belgian Garde Civique took part in it. This assumption of mine was confirmed by a document of the Belgian Government taken on the

23rd of August from the Burgomaster of Winghe-St. Georges, from which can be seen that the Garde Civique was to be mobilised. The distinctive signs mentioned in the letter (band and rosette) could not be found, because ostensibly they were to be distributed from Louvain, as the place belonged to this district. Lists of members for the last three years were also found. It was impossible to make arrests because, according to the statement of the Burgomaster, almost the whole population had fled; I suspect, however, that the male population had been "drawn" into Louvain where these "troops" were to assemble. In the course of the evening, troops were brought back into the town, and at about 12 o'clock the firing ceased at last. On the command of the General Staff of the IX. Reserve Army Corps I then joined the other troops in the station square, and was suddenly ordered to destroy and set on fire two hotels from which firing had taken place during the whole time, and to fetch out the occupants. The principal culprits, however, evidently found an outlet in time over the roofs, for only the proprietor came out at about 5 a.m., and very soon he received his reward, as well as two priests who had distributed munition to the civilians. On the following morning we continued our march in the direction of Brussels, and on the way we were again violently fired at from different houses.

I reported by telegram what I had ascertained regarding the Garde Civique to the Commandant of the town of Louvain on the same day (the 23rd), so that he might be able to take counter-measures; I know nothing further of the result. But like all the others who have lived through the attack I am firmly convinced that the matter had been previously arranged by the authorities.

Signed: KURT BRANDT, Lieutenant of the
Reserve, 9th Company, Infantry
Regiment No. 52.

D. App. 49.

Court of the 18th Reserve Division.

Present :

President, v. KAUFFBERG.

Secretary, RAPPE.

AVRICOURT, *January 8th, 1915.*

There appeared as witnesses the persons mentioned below, who, after the importance of the oath had been

pointed out to them, were, in the absence of the witnesses to be heard subsequently, examined as follows :

1. Captain Schaefer, Reserve Field Artillery Regiment No. 18.

As to Person : My name is Walther Schaefer, aged 40 ; Protestant.

As to Case : I was leader of the light ammunition column, 2nd Reserve Field Artillery Regiment No. 18, and arrived with my column at the station in Louvain on August 25th, 1914, at about 8 p.m. The train was so long that only half of it could be brought up to the station platform. When the first half of the train had been unloaded, and I was remaining with about 100 horses in the goods station, a murderous gun-fire suddenly commenced. The firing evidently came from the roofs and windows of the rows of houses to the east and west of the station. It lasted from twenty minutes to half an hour. In the meantime, a train with infantry arrived. I heard subsequently that the infantry replied to this fire from the carriages.

When the firing had ceased I drew my horses under cover in a goods shed. We had barely arrived there when we were violently fired at from the direction of the church tower. I had the impression that the shots came from above ; it was related generally that a machine-gun had been placed in position on the church tower. The firing lasted at first only for a short time, but was repeated at brief intervals, and continued intermittently for a few hours. I cannot state the period more accurately.

I was also in the sheds of the stations. A General Staff Officer of the IX. Reserve Corps was busy there and helped me to get the second half of my train unloaded ; this was about 1 o'clock at night. At 2 o'clock I marched off in the direction of Herent-Bueken.

The General commanding the IX. Reserve Corps and Captain Vieregge were during the night in the square in front of the station.

Read over, approved, signed.

Signed : SCHAEFER.

The witness was sworn.

2. Lieutenant of the Reserve Duckwitz, Reserve Field Artillery Regiment No. 18.

As to Person : My name is Richard Duckwitz, aged 28 ; Protestant.

As to Case : I belonged to the light ammunition column, which arrived on August 25th, 1914, about 8 o'clock p.m.,

at the goods station of Louvain. Soon after my arrival I was commanded by the leader of the column to ride to Bueken and to report to the Commandant of the 18th Reserve Division the arrival of the column. I rode along a broad boulevard that leads along on the outer edge of Louvain. The street was perfectly quiet. When I subsequently came to smaller streets, I met infantry marching along rifle in hand. They called to me to dismount because firing from the houses was taking place. I met infantry who told me that I could not proceed because our infantry was firing with machine-guns into the town from the other side. One could hear the firing. When it became more quiet after a few minutes I rode on and reached Bueken, part of which was burning. After having made my report, I was told to ride back and to tell the column to come up at once. On the return journey I missed the boulevard and got into the town. I rode along a broad street and overtook a troop of twenty to thirty gendarmes on foot, revolver in hand. With them were several officers, a priest in white cassock, and a few civilians surrounded by a division of soldiers. The priest called out a few words in French now and again; I heard subsequently that he called out to the people to put lights in the houses. I also saw that light was burning in some houses; the street itself was dark. As I could not proceed I returned to Herent, where I remained during the night.

On the following morning, at about 4 o'clock, I rode back to Louvain. I found the boulevard, and arrived at the station at about 6 o'clock. The houses surrounding the station were partly burned down, partly still burning. In front of the station was the General in Command with several officers. After making my report to the leader of my column we soon marched off and left Louvain unmolested *via* the boulevard mentioned above.

Read over, approved, signed.

Signed: DUCKWITZ.

The witness was sworn.

Proceedings took place as above.

Signed: v. KAUFFBERG. Signed: RAPPE.

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